THE MADRAS LEGISLATIVE ASSEMBLY.

Wednesday, 8th April 1953.

The House met in the Assembly Chamber, Government Estate, Mount Road, at half-past eight of the clock, Mr. Speaker (THE HON. SRI J. SIVASHANMUGAM PILLAI) in the Chair.

STARRED QUESTIONS.

I.—QUESTIONS AND ANSWERS.

MR. SPEAKER :—" I have placed before the House as many as 35 questions besides a very heavy Agenda. Many hon. Members have already booked their berths and would like to leave the station by the Cochin Express this evening. I hope hon. Members will co-operate with me in seeing that the entire Agenda is gone through in time to enable hon. Members to leave Madras by 5-30 p.m."

SRI K. VINAYAKAM :—" The House is very thin and we can carry on."

MR. SPEAKER :—" It is possible provided the hon. Member does not put too many supplementaries." (Laughter.)

Representation from the 'Satani' Community of Nellore for their inclusion in the list of Backward Communities.

* 380 *Q.*—SRI K. KRISHNA RAO: Will the Hon. the Minister for Education be pleased to state whether the Government have received representation from members of the 'Satani' community in Nellore inviting attention to the hardship caused to the school-going children of their community by omission of the name of their community in the latest list of Backward Communities and requesting re-inclusion of the name 'Satani' in the list; and if so, what action was taken by the Government on the representation?

THE HON. DR. M. V. KRISHNA RAO :—" Yes. The terms 'Satani' and 'Chattada Vaishnava' were originally in the list of Backward Classes but were omitted by Government as the community did not want to be known by these terms. 'Satanis' are eligible for fee concessions under rule 92, Madras Educational Rules, as they come under 'Chattada Sri Vaishnava' which finds a place in the list of Backward Classes. Instructions have been issued that fee concessions should not be denied to the children of the Satani community in Nellore district."

SRI K. KRISHNA RAO :—" Are the Government aware that when the Satani community of Nellore represented that they come under some other name than Satani they were told that

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unless their name was explicitly included in the list of Backward Communities, their children will not be eligible for concession of school fees applicable to the Backward Communities?"

THE HON. DR. M. V. KRISHNA RAO :—"The latest order is that the Director of Public Instruction has been requested to issue necessary instructions to educational authorities in Nellore district to see that educational concessions are not denied to children of the Satani community in the district."

SRI K. VINAYAKAM :—"While thanking the Hon. the Minister for Education for the clarification that school-fee concessions will be given to children of the Satani community also, will he be pleased to extend the same kind of concessions to the sphere of recruitment to Government service also in respect of the same community?"

THE HON. DR. M. V. KRISHNA RAO :—"I cannot give any such assurance in this connexion."

SRI S. DEIVASIGAMANY :—"Has this community ceased to be a Backward Community?"

THE HON. DR. M. V. KRISHNA RAO :—"No, Sir, not at all."

SRI K. R. VISWANATHAN :—"May I know whether the omission was due to inadvertance or due to any other cause? If the latter, what are the causes?"

THE HON. DR. M. V. KRISHNA RAO :—"The community objected to the use of the term 'Satani' and 'Chattada Vaishnava'. Instead it wanted to be called as 'Chattada Sri Vaishnava'. This name is included in the list and what is done now is a clarification is made."

SRI V. V. RAMASAMI :—"Is any new list of Backward Communities being prepared?"

THE HON. DR. M. V. KRISHNA RAO :—"No new list is prepared. Only clarifications have been made during the year."

SRI K. KRISHNA RAO :—"In the case of 'Satanis' of Nellore, school fees have been charged for a pretty long time. Will the Government in view of their recent orders refund the excess fee collected from the children?"

THE HON. DR. M. V. KRISHNA RAO :—"The matter will be looked into in so far as it is possible and practicable."

SRI D. SEETHARAMIAH :—"May I know whether instructions to extend the fee concessions to the Satani community in other districts also have been issued?"

THE HON. DR. M. V. KRISHNA RAO :—"This clarification has been made available to the whole Education Department."

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SRI C. V. K. RAO :—" It appears in most places full fees have been collected. In view of the assurance of the Hon. the Minister for Education that the matter will be considered with respect to Nellore, may I know whether he will consider the case with respect to other districts also? "

THE HON. DR. M. V. KRISHNA RAO :—" Yes, Sir, this clarification holds good for the entire community in the whole State."

Nominations to the Cotton and Groundnut Marketing Committee, Guntakal.

* 381 *Q.*—

MR. SPEAKER :—" The hon. Member, Sri S. Narayanappa, who put the question, is not in his seat. So the question and answer will be printed in the proceedings."

SRI S. NARAYANAPPA : Will the Hon. the Minister for Agriculture be pleased to state—

(*a*) whether the Government have nominated anybody to the Cotton and Groundnut Marketing Committee at Guntakal in Anantapur district; and

(*b*) what are the recommendations of the Collector in this connexion?

THE HON. DR. R. NAGAN GOUDA :—" (*a*) The answer is in the affirmative.

" (*b*) The Government must with regret decline to reveal the recommendation of the Collector as it would not be in the public interest to do so."

Allegations against officials of the Lower Bhavani Project work.

* 382 *Q.*—SRI K. R. NALLASIVAM : Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the Government received a petition bringing to their notice serious allegations about manipulation of accounts by P.W.D. subordinates in respect of digging work of the Unjalur Distributary channel (Lower Bhavani Project work); and

(*b*) if so, what action has been taken in the matter?

THE HON. SRI N. RANGA REDDI :—" (*a*) Yes.

"(*b*) The matter is under investigation."

SRI K. R. NALLASIVAM :—" அறிவிக்கப்பட்டிருக்கும கேசில் சம்மந்தப்பட்டிருக்கும் தொகையின் மதிப்பு என்ன என்பதை சர்க்கார் சொல்லுமா ? "

SRI V. BALAKRISHNAN :—" He wants to know the amount involved in defalcation and misappropriation."

THE HON. SRI N. RANGA REDDI :—" A separate question may be put."

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SRI K. R. NALLASIVAM :—" கீழ்பவானி திட்டத்திலும் இன்னும் சில இடங்களிலும் இதேமாதிரியான பல தவறுகள் நடந்திருப்பதன் காரணமாக அவைகளை யெல்லாம் எடுத்துச் சொன்னால், இஞ்சினியர்கள், சட்டசபை அங்கத்தினர்கள் கொண்ட கமிட்டிகளை அமைத்து விசாரிக்க சர்க்கார் முன் வருமா ? "

SRI K. VINAYAKAM :—" He wants to know if similar instances of misappropriation are brought to the notice of the Minister, whether the Minister will order enquiry and do justice."

THE HON. SRI N. RANGA REDDI :—" Most certainly, Sir."

SRI S. DEIVASIGAMANY :—" What is the kind of investigation that is carried on? Is it departmental or judicial enquiry? "

THE HON. SRI N. RANGA REDDI :—" Sometimes a departmental investigation is ordered and sometimes the matter referred to the Crime Branch for investigation."

SRI V. BALAKRISHNAN :—" When was the report received and for how long has it been under scrutiny, investigation and enquiry? "

THE HON. SRI N. RANGA REDDI :—" Notice, Sir."

The Karimpuzha bridge, Walluvanad taluk.

* 383 Q.—SRI K. C. GOPALAN UNNI : Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Karimpuzha bridge in Walluvanad, Malabar district, was included in the Vipan Scheme ; and

(b) whether it has been included in either the Post-War Reconstruction Plan or any other plan?

THE HON. SRI N. SANKARA REDDI :—" (a) The work of constructing a bridge across the Karimpuzha on the Manjeri-Perintalmanna road was included in the Vipan's scheme.

" (b) No."

SRI K. C. GOPALAN UNNI :—" The Minister refers to the bridge on the Manjeri-Perintalmanna road. I have referred to the bridge on the Ariyur-Cheruppulacheri road."

THE HON. SRI N. SANKARA REDDI :—" I think, Karimpuzha is a small river or bridge"

SRI K. C. GOPALAN UNNI :—" No, Sir."

MR. SPEAKER :—" The hon. Member may put a separate question."

Opening of an agricultural depot at Matayi amsam, North Malabar.

* 384 Q.—SRI K. P. GOPALAN UNNI : Will the Hon. the Minister for Agriculture be pleased to state whether the Government have any proposal to open an agricultural depot in Matayi amsam at Puzhayangadi, North Malabar?

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THE HON. DR. R. NAGAN GOUDA :—" The answer is in the negative."

Removal of communal names from educational institutions.

* 385 Q.—

MR. SPEAKER :—" The hon. Member, Dr. K. B. Menon, who put the question is not present. So the question and answer will be printed in the proceedings."

DR. K. B. MENON : Will the Hon. the Minister for Local Administration be pleased to state whether the Government have issued any directives to local bodies regarding the removal of caste or communal names from educational or other institutions under, or aided by, the State or local bodies?

THE HON. SRI N. SANKARA REDDI :—" No."

Supply of electricity to Rajam in Srikakulam district.

* 386 Q.—SRI P. PUNDARIKAKSHACHARYULU : Will the Hon. the Minister for Public Works be pleased to state— 8-40 a.m.

(a) whether there is any proposal to extend electricity from Chipurupalle to Rajam in Srikakulam district;

(b) whether any officer investigated and sent his report in the years 1947, 1948 or so; and

(c) if so, what was the result and when the scheme will be taken up for execution?

THE HON. SRI N. RANGA REDDI :—" (a) The answer is in the negative.

" (b) Rajam village was originally investigated in 1949.

" (c) A proposal for extension of supply of electricity to Rajam and other villages in Srikakulam district from the sub-station proposed to be erected at Srikakulam, is under technical scrutiny. The question of execution of the scheme does not arise at present."

SRI P. PUNDARIKAKSHACHARYULU :—" Sir, what is the difficulty of the Government in extending electricity from Chipurapalli which is eleven miles from Rajam?"

THE HON. SRI N. RANGA REDDI :—" A separate question may be put, Sir."

Grants to the Boy Scout and Girl Guide movements in the State.

* 387 Q.—SRI K. KRISHNA RAO : Will the Hon. the Minister for Education be pleased to state the conditions attached to the grants made to the Boy Scout and Girl Guide movements in the Education Demand of the Budget?

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THE HON. DR. M. V. KRISHNA RAO :—" An annual grant of Rs. 25,600 is sanctioned to the Bharat Scouts and Guides, Madras State. No specific condition is attached to the grant but it should be spent on the furtherance of scout movement in this State."

SRI K. KRISHNA RAO :—" Sir, is the grant to these Boy Scout and Girl Guide movements conditional on their being *ultra loyal* to the Government? "

THE HON. DR. M. V. KRISHNA RAO :—" Absolutely not, Sir. They are expected to be loyal to the country."

SRI S. DEIVASIGAMANY :—" Is this grant given in addition to the grant given by local bodies? "

THE HON. DR. M. V. KRISHNA RAO :—" This is separate, Sir. This is in addition to the grant given by local bodies."

SRI V. BALAKRISHNAN :—" Do the Government audit the accounts of these Boy Scout and Girl Guide movements? "

THE HON. DR. M. V. KRISHNA RAO :—" The audited accounts are submitted to the Government, Sir."

SRI T. NAGI REDDI :—" Are the Government aware, Sir, that loyalty to Government is different from loyalty to the country and will they keep this difference in mind when they think of making contributions to certain organizations of this type? "

THE HON. DR. M. V. KRISHNA RAO :—" I was only wanting to make it clear that there was no such condition concerning loyalty to the Government."

SRI R. KRISHNAN :—" Are the Government giving any concessions or preferences to these students? "

THE HON. DR. M. V. KRISHNA RAO :—" Concessions of what nature, Sir? "

Road works in Anantapur district.

* 388 *Q.*—SRI K. V. VEMA REDDI : Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) whether representations were made by the people of Anantapur district and by the District Board, Anantapur, for allotment of grants to the tune of at least seven lakhs of rupees for starting famine relief road works in the district in January and February 1953; and

(*b*) if so, what action was taken thereon?

THE HON. SRI N. SANKARA REDDI :—" (*a*) An application for a grant of about Rs. 8 lakhs was received by Government from the Anantapur District Board.

" (*b*) A grant of Rs. 2,46,420 has been sanctioned to the District Board in March 1953."

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SRI K. V. VEMA REDDI :—" Relief so far provided is inadequate in view of the magnitude of the suffering of the people in the famine affected areas of Anantapur district. Will the Government increase the grants so as to give adequate relief to the famine affected areas? "

THE HON. SRI N. SANKARA REDDI :—" The Collector has been asked to report whether the distress is still continuing. On receipt of his report I think the question will be considered."

SRI T. NAGI REDDI :—" The Government seem to be considering whether there is famine or not in Anantapur district. Government themselves admitted on the floor of this House on a previous occasion answering a supplementary question that there was acute famine in Kadiri, Dharmavaram and Penukonda taluks and in certain other parts of the district also. So the sum now granted, namely, Rs. 2 lakhs is only a drop in the ocean. Will the Government therefore consider increasing this grant so that more relief works may be provided? "

THE HON. SRI N. SANKARA REDDI :—" Sir, I did not mean there was no famine in other areas in Anantapur district. But Government want to know whether there is distress in the area in which the works were started by the District Board to give grants to those works which were started already."

SRI T. NAGI REDDI :—" I am sorry, Sir, the Hon. Minister has made the matter still worse by saying that the Government are not aware of famine in other areas. I want to know what exactly the Hon. Minister means."

MR. SPEAKER :—" The hon. Member has misunderstood the answer."

Control and management of the waters of the big tank at Badvel, Cuddapah district.

* 389 *Q.*—

MR. SPEAKER :—" The question and answer will be printed in the proceedings as the hon. Member Sri V. Chidanandam is not in his seat."

SRI V. CHIDANANDAM : Will the Hon. the Minister for Public Works be pleased to state whether he has received my letter, dated four months back asking for information about the taking over by the Public Works Department of the control of the big tank of Badvel and water management under the same big tank in Cuddapah district from the Revenue Department?

THE HON. SRI N. RANGA REDDI :—" Petitions from the hon. Member requesting that the orders of Government issued in July 1948 vesting the control of distribution in the Public Works Department should be given effect to were

received but no information on the subject was asked for by him. The question whether the orders should stand or be cancelled is under examination."

Supply of electricity to Visakhapatnam town.

* 390 Q.—SRI K. GOVINDA RAO (on behalf of Sri M. Veerabhadram): Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) whether it is a fact that the Visakhapatnam Municipality asked the Government for a loan or grant of Rs. 20,000 for lighting purposes in the town; and

(*b*) what was the action taken thereon?

THE HON. SRI N. SANKARA REDDI :—" (*a*) An application for a loan of Rs. 20,000 for the purpose was received.

" (*b*) The Municipal Council was informed that in view of the prevailing financial stringency, provision for the loan could not be made in the State Budget for 1953–54."

Quantity of ammonium sulphate damaged during the cyclone in Tanjore district.

* 391 Q.—SRI K. ARANGANATHAN : Will the Hon. the Minister for Agriculture be pleased to state the total number of bags of ammonium sulphate damaged during the recent cyclone in Nagapattinam harbour in Tanjore district?

THE HON. DR. R. NAGAN GOUDA :—" Six thousand and twenty-one bags."

SRI K. ARANGANATHAN :—" May I know the loss incurred by the Government? "

THE HON. DR. R. NAGAN GOUDA :—" Rs. 2,76,213-6-0."

SRI K. VINAYAKAM :—" In view of the fact that so many bags of ammonium sulphate were lost, due to cyclone, did the Government take proper steps to reimburse the loss in the sense of making ammonium sulphate available to agriculturists in that district? "

THE HON. DR. R. NAGAN GOUDA :—" We have enough stock of ammonium sulphate, Sir."

SRI K. R. VISWANATHAN :—" May I know whether the damage was due to natural causes or due to the carelessness of the officers concerned? "

THE HON. DR. R. NAGAN GOUDA :—" They were stored in the Harbour godowns and were in the charge of the clearing and forwarding agents. Because of the cyclone one of the godowns was inundated and so some of the ammonium sulphate was dissolved and lost."

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SRI S. DEIVASIGAMANY :—" May I know, Sir, whether the stocks were insured? "

THE HON. DR. R. NAGAN GOUDA :—" Notice, Sir."

Representations from the Tiruchy District Board Tamil Pandits' Union.

* 392 *Q.*—SRI P. RANGASWAMY REDDIAR: Will the Hon. the Minister for Education be pleased to state—

(*a*) whether the Government received any representation from Tiruchy District Board Tamil Pandits' Union in October 1952 regarding the pay and other conditions of service of pandits and munshis in private institutions;

(*b*) whether a deputation on behalf of the said Union waited on the Hon. Minister for Education at Tiruchy on 19th October 1952 and represented the grievances of pandits and munshis; and

(*c*) if so, whether the Government took any steps to redress their grievances?

THE HON. DR. M. V. KRISHNA RAO :—" (*a*) & (*b*) Yes.

" (*c*) The requests related in the main to the modification of the orders already issued by Government so as to allow the pandits without the prescribed qualifications the scales of pay admissible to pandits of the first grade. So it was not considered feasible because these applied to all categories of pandits. But certain grievances were attended to, for example, the privilege of probation and the privilege of increments to mere oriental title holders who were on temporary service were conceded."

SRI K. VINAYAKAM :—" Sir, after long consultation and deliberations, Government were pleased to revise the scales of pay for Tamil pandits and munshis. Are the Government aware that in spite of the fact that higher scales of pay were sanctioned for Tamil pandits, some of the local bodies are niggardly enough to reduce the scales of pay? For instance the District Board, Tiruchirappalli, and the Corporation of Madras are not paying the scales of pay sanctioned by Government."

THE HON. DR. M. V. KRISHNA RAO :—" If specific complaints are made they will be looked into."

SRI P. RANGASWAMY REDDIAR :—" Sir, will the Government consider the desirability of abolishing the several classes of pandits and munshis and unify them into one class? "

THE HON. DR. M. V. KRISHNA RAO :—" There is no question of abolishing several classes. In 1948 Government decided that certain qualifications should be prescribed for grade I pandits and certain other qualifications for grade II pandits. This is all."

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SRI K. R. VISWANATHAN :—" Sir, in view of the fact that pandits with only oriental titles were getting a higher scale of pay than that of the secondary grade teachers in pre-independence days and in view of the fact that the scale has now been fixed at a rate lower than that of the secondary grade teachers by the previous Congress Government and in view of the fact that regional languages are now supposed to be treated as first languages, will this Government consider the advisability of raising the pay of these pandits at least to the level where it was, if not more?"

THE HON. DR. M. V. KRISHNA RAO :—" Sir, the pandits are expected to possess certain qualifications. Where they satisfy the rule regarding qualifications, they get the revised scale now in force."

SRI K. VINAYAKAM :—" Sir, responding to the request of the Hon. the Minister for Education I am giving him the specific instance of the Corporation of Madras. The Corporation has not given effect to the revised scales of pay to the Tamil pandits. Will the Hon. Minister be pleased to enquire into the matter and redress the grievances of the teachers?"

THE HON. DR. M. V. KRISHNA RAO :—" The matter will be considered."

Supply of power to Upper Pennar Project work from Rayadrug.

* 393 Q.—

3-50 a.m. MR. SPEAKER :—" As the hon. Member Sri S. Narayanappa is not present, the question and answer will be printed in the proceedings."

SRI S. NARAYANAPPA: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether any investigation has started regarding the supply of power to Upper Pennar Project work from Rayadrug (via) Kalyandrug and Kambadur; and

(b) if so, when the power will be supplied to Upper Pennar Project work?

THE HON. SRI N. RANGA REDDI :—" (a) The answer is in the negative.

" (b) Does not arise."

Representations from the Malabar newspaper editors regarding power supply.

* 394 Q.—SRI K. P. GOPALAN: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government received any representation to stop the cut in electricity by representatives of the Malabar newspaper editors; and

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(*b*) if so, what action has been taken in this matter by the Government?"

THE HON. SRI N. RANGA REDDI :—" (*a*) The answer is in the affirmative.

" (*b*) The Government have since exempted all printing presses in the hydro electric areas, including those in Malabar district engaged in printing daily and weekly newspapers from the power cut in force, so far as consumption of electricity for printing the dailies and weeklies only is concerned."

Service conditions of clerks under panchayats.

* 395 *Q*.—SRI K. KRISHNA RAO: Will the Hon. the Minister for Local Administration be pleased to state whether clerks of panchayats are directed by the Government to be appointed by the officers of the District Employment Exchange; whether rules have been framed regarding qualifications, mode of selection, salaries, allowances and conditions of service of clerks in the panchayats; and if so, whether the Government will furnish this House with a copy of such rules?

THE HON. SRI N. SANKARA REDDI :—" The Government have not directed that clerks of panchayats should be appointed by the officers of the District Employment Exchange. Rules have been framed prescribing qualifications for clerks under panchayats. A copy [a] of these rules is laid on the table of the House. No rules have been framed regarding the salaries and allowances of clerks of panchayats. Their salaries and allowances are fixed by the Inspector of Municipal Councils and Local Boards. No separate rules have been issued regarding the conditions of service of clerks in the panchayats. The question of issuing rules in this regard is under consideration."

SRI K. KRISHNA RAO :—" Sir, I do not see any rules which the Hon. Minister has said, have been placed on the table of House, on my table at any rate."

THE HON. SRI N. SANKARA REDDI :—" The rules relating to qualifications are placed on the table of the House."

SRI N. MAHALINGAM :—" Will the Government consider the abolition of the Employment Exchanges in view of the fact that they are not serving much useful purpose?"

THE HON. SRI N. SANKARA REDDI :—" Sir, that is a department of the Government of India."

SRI P. VENKATASUBBAYYA :—" As the Government have prescribed qualifications necessary for ministerial servants who work in the panchayats, will the Government assure permanent employment for them?"

[a] Printed as Appendix on page 1223 infra.

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THE HON. SRI N. SANKARA REDDI :—" Once employed, unless they commit mistakes, they will be there permanently."

House-sites for Arundhateeyas in West Godavari.

* 396 Q.—SRI M. RAJESWARA RAO : Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Government received the resolution of the Eluru Municipal Council expressing its inability to bear the cost of acquisition of house-sites for the Arundhateeyas of Lankapeta, Eluru town, West Godavari district;

(b) whether the Government received any representations from the Arundhateeyas requesting the Government to take up the acquisition in view of the inability of the municipality and as they are threatened with eviction any moment; and

(c) if so, the action taken thereon?

THE HON. SRI N. SANKARA REDDI :—" (a) The Government received a copy of the council's resolution requesting Government to purchase the necessary site from the Harijan Fund and to allot the same to the Harijans. Government asked the municipal council to apply for a loan for the scheme.

" (b) No.

" (c) Does not arise."

SRI M. RAJESWARA RAO :—" May I know from the Hon. Minister whether due to the non-applicability of the provisions of the Land Acquisition Act to areas which are within the municipal limits, the Government will consider the desirability of proposing certain amendments to the Land Acquisition Act so that it may be applied to areas within the municipal limits also?"

THE HON. SRI N. SANKARA REDDI :—" Harijans in urban areas are considered to have been earning well. Acquisition is necessary only in rural parts. So, the policy requires some change and that will be considered."

Transfer of the Municipal Commissioner, Bhimlipatnam.

* 397 Q.—SRI K. GOVINDA RAO : Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether representations were received by the Government from the Municipal Council, Bhimlipatnam (Visakhapatnam district), between October 1952 and January 1953 demanding the transfer of the Municipal Commissioner, Bhimlipatnam; and

(b) if so, the action taken thereon?

THE HON. SRI N. SANKARA REDDI :—" (a) Yes.

" (b) The Municipal Commissioner concerned has been transferred, as he was nearing the term of three years."

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SRI K. GOVINDA RAO :—" May I know the reasons for which the Municipal Council had been pressing for his transfer? "

THE HON. SRI N. SANKARA REDDI :—" He was transferred because he was nearing his term of three years."

SRI C. V. K. RAO :—" Will the Hon. Minister give us an assurance that wherever there are undesirable Commissioners according to the Municipal Councils, the Government will be prepared to take immediate action? "

MR. SPEAKER :—" It is a general question."

SRI K. GOVINDA RAO :—" Sir, my previous question has not been answered at all. My question was, what were the reasons for the Municipal Council to pass an unanimous resolution that the Commissioner should be transferred? "

THE HON. SRI N. SANKARA REDDI :—" I want notice, Sir."

Representations from the pavement dwellers.

* 398 *Q.*—SRI A. RATHINAM : Will the Hon. the Minister for Co-operation be pleased to state—

(*a*) whether the Government received recently any representation from the pavement dwellers in the city; and

(*b*) whether the Government have taken a census of the total number of homeless Harijans using the pavements and platforms in the City?

THE HON. SRI D. SANJIVAYYA :—" (*a*) & (*b*) The answer is in the negative."

SRI A. RATHINAM :—" Is the Hon. Minister aware of the fact that the grounds allotted for pavement dwellers in Korukkupetta are being occupied by the Corporation servants and will the Government constitute a committee to look into the matter? "

THE HON. SRI D. SANJIVAYYA :—" I am not aware, Sir. But as suggested by the hon. Member we will certainly make enquiries."

Amenities to the pavement dwellers.

* 399 *Q.*—SRI S. VEMIAH : Will the Hon. the Minister for Co-operation be pleased to state—

(*a*) whether Government have got statistics of the number of pavement dwellers in the City of Madras at present; and

(*b*) the amenities provided for them by the Government?

THE HON. SRI D. SANJIVAYYA :—" (*a*) The answer is in the negative.

" (*b*) The Government have not so far provided amenities to the pavement dwellers in the City of Madras. But the

Corporation of Madras is doing as much as it can in this direction. It has built shelters called "Homes for the Homeless" in 5 places and has established two new colonies with all amenities like roads, lighting, water-supply, drainage, etc., where plots are provided to the pavement dwellers for putting up their own huts. Besides, the Corporation is running a work house for the able bodied beggars, a special home, for deceased beggars, a poor house for the physically weak and an orphanage for the vagrant children."

Sri S. VEMIAH :—" Arising out of the answer given by the Hon. Minister, will the Government consider the desirability of taking statistics about these pavement dwellers? "

The Hon. Sri D. SANJIVAYYA :—" Sir, with regard to the statistics relating to the pavement dwellers, we have no figures in the Census Abstract. But they will have to be collected from the National Register of Citizens by examining all the sites in the Madras City which will involve much labour not commensurate with the public interests served."

Sri T. LAKSHMINARAYANA REDDI :—" In view of the fact that Madras is a big city and that foreigners who visit the city form the opinion that it is fertile for their propaganda and as it is also a disgrace to our democracy, will the Government try to see that the pavement dwellers are given some relief? "

The Hon. Sri D. SANJIVAYYA :—" There again it is only a question of finding sufficient finances, Sir."

Sri G. RAMA RAO :—" Are the Government aware that there are hundreds of destitute children whom the Government are bound to take of? "

The Hon. Sri D. SANJIVAYYA :—" I have already said, Sir, that there is a home for the vagrant children which has been established by the Corporation of Madras."

Sri S. DEIVASIGAMANY :—" Are these pavement dwellers permanent citizens of Madras or are they floating population from the suburbs of Madras, and if they have come from outside the City of Madras, are the Government taking any steps to transport them back to their own places? "

The Hon. Sri D. SANJIVAYYA :—" Some of them are permanent and some of them belong to the floating category. Still it will not be possible to take effective steps to check the infiltration."

Sri K. VINAYAKAM :—" Out of the total population of about 14 lakhs in the City of Madras, not less than one lakh of people are living on pavements. The facilities afforded by the Corporation of Madras are sufficient to house only 500 people. Have the Government any proposal at present to house these pavement dwellers who are almost a nuisance to those who have to walk on these pavements? "

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THE HON. SRI D. SANJIVAYYA :—" It is not correct to say that very few people are accommodated. In fact 250 families could be accommodated in these 'Homes for the Homeless' and about 1,000 families in the two new colonies."

SRI V. V. RAMASAMI :—" Are the Government aware of the proposal of the Mayor of the Corporation of Madras to form a public trust to tackle the problem of beggars and destitutes in the City of Madras and if so, do the Government propose to make any grants to the proposed Trust? " 9 a.m.

THE HON. SRI D. SANJIVAYYA :—" Of course the Government are aware of the fact but I cannot inform or promise the hon. Member whether the Government would be in a position to give any grant or subsidy to the Trust."

SRI C. RAJAM RAMASAMI :—" Is it not a fact that the hon. Member Sri K. Vinayakam in spite of his being a City Father had not pressed this beggar problem frequently in the Corporation Council? "

MR. SPEAKER :—" What has that to do with the present question? " (Laughter.)

SRI B. K. NALLASWAMI :—" Do the Government envisage any decrease in the number of pavement dwellers in the City after the formation of the Andhra Province? "

THE HON. SRI D. SANJIVAYYA :—" We shall wait and see, Sir."

SRI N. MAHALINGAM :—" May I point out that most of these pavement dwellers are honest workers and that it would be an insult to human dignity to dub them as nuisance? "

DR. K. B. MENON :—" Is the scheme of the Hon. Minister for tackling the problem of pavement dwellers in the City a part of the scheme for the whole State? "

THE HON. SRI D. SANJIVAYYA :—" What 'scheme' Sir! "

SRI S. C. C. ANTHONY PILLAI :—" Sir, is it not a fact that the Cabinet set up a sub-committee to study this question and if so what are their recommendations? "

THE HON. SRI D. SANJIVAYYA :—" Sir, the Housing Committee decided that housing the poor and the destitute, construction of beggar homes for beggars and hutments for pavement dwellers should be provided by local authorities, of course aided by the State and run as a social service."

SRI K. VINAYAKAM :—" Let me at the outset say something by way of personal explanation, Sir. Of course it is true that I happen to be a member of the Council of the Corporation of Madras, and in my humble capacity I have been personally pressing in the Council that this beggar problem should be properly solved by the Corporation authorities. My friend Mr. C. Rajam Ramasami presumably is not aware of the proceedings of the Council. I humbly request him to pay visits to the Council.

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"Sir, is it not a fact that this problem had been mooted before the Government of Madras time and again and that the Government had not taken sufficient care to solve this problem?"

THE HON. SRI D. SANJIVAYYA :—"I have already stated that this problem should be tackled by local bodies like the Corporation and Municipalities. Of course they may expect some loan from the Government."

SRI S. C. C. ANTHONY PILLAI :—"Will it be possible for the Hon. Minister to say what steps the Government have taken to carry out the recommendations of the sub-committee?"

THE HON. SRI D. SANJIVAYYA :—"I am afraid I require notice for the present question, Sir."

Appointment of the Secretary to the Rajahmundry Co-operative Central Bank.

* 400 *Q.*—SRI K. KRISHNA RAO : Will the Hon. the Minister for Co-operation be pleased to state—

(*a*) whether the Rajahmundry Co-operative Central Bank at its last general body meeting unanimously resolved to continue their experienced Secretary in service;

(*b*) whether the Registrar of Co-operative Societies has thereafter been insisting on the removal of the said Secretary and appointment of one of his own nominees to the place;

(*c*) if so, the reasons for the Registrar's vetoing the decision of the general body;

(*d*) whether the Registrar of Co-operative Societies has been insisting on the Board of Management of the Rajahmundry Co-operative Central Bank accepting his advice in all matters of internal administration informing them that non-acceptance of his advice would result in withdrawal of credit facilities by the Reserve Bank to the Rajahmundry Co-operative Central Bank; and

(*e*) whether the Government received instructions from the Reserve Bank of India that credit facilities of Reserve Bank would be available only to such Co-operative Central Banks as accepted and adopt the advice of the Registrar of Co-operative Societies in matters of internal administration and appointment of officers; and if so whether Government will please place a copy of such instructions on the table of the House?

THE HON. SRI D. SANJIVAYYA :—"(*a*) Yes, Sir.

"(*b*) It is a fact that the Registrar of Co-operative Societies has been insisting on the removal of the Secretary of the Bank but it is not true that he wanted to appoint one of his own nominees to that post.

"(*c*) Under by-law No. 5 of the special by-laws relating to the service conditions of the employees of the Bank, no employee can be retained in service if he has attained the age of 55 years. However, there is provision in this by-law to the

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effect that the Registrar may exempt any employee of the Bank from the age-limit and qualifications on the recommendation of the Board of Management. The Secretary of this Bank is a superannuated person. He completed his 55th year in December 1951. The Bank advertised the vacancy in news papers and it received eleven applications. But the Board, without examining the applications and trying to make a suitable selection, persisted in asking for the continuance of the overaged Secretary. The Registrar could not agree with the Board in the larger interests of the Bank.

"(d) No, Sir.

"(e) No, Sir."

SRI K. KRISHNA RAO :—" Are the Government aware of the fact that there is a specific by-law in the by-laws of the Co-operative Central Bank which says that the ultimate authority in all matters is the general-body and that the entire management of the bank vests in the Board of Management? If so, what right have the Government got to interfere and set aside the by-laws of the bank and apply their own rules when it is a matter outside their concern?"

THE HON. SRI D. SANJIVAYYA :—" Government are well aware of the fact that the Board of Management is the final authority in so far as matters relating to payments and things of that kind are concerned. But there is a specific by-law, I mean by-law No. 5, which prohibits such continuation."

Construction of a road regulator over the Krishna anicut.

*401 Q.—SRI M. HANUMANTHA RAO : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Chief Engineer has submitted to the Government any proposal for the construction of a road regulator over the Krishna anicut at Vijayavada;

(b) if so, what are the details of that proposal; and

(c) what the Government propose to do?

THE HON. SRI N. RANGA REDDI :—" (a) Yes.

"(b) The regulator-cum-road bridge will be 59 feet upstream of the existing line of shutters. The bridge will be about 4,000 feet long and will carry National Highway No. 5, 24 feet wide with a 5 feet footpath on either side. The lifting shutters will be of 10 feet height and enable a level of 8 feet of water over the crest level of the present anicut being maintained during the irrigation season, and will be worked from the bridge, electric power being used to lift them. The greater level possible with these shutters will also facilitate extension of irrigation in the eastern and western deltas. The cost of the works is estimated to be Rs. 236 lakhs.

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" (c) The State Government have approved the proposals and addressed the Central Government because that Government is concerned with the road (National Highway No. 5) which will pass over the bridge and has to bear the cost of the bridge portion of the work. Also the Central Government has to agree to the undertaking of any work costing over Rs. 1 crore."

Recommendation of the Krishna Anicut Enquiry Committee regarding a road regulator.

* 402 Q.—SRI M. LAKSHMANASWAMY : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government have considered and accepted the recommendations of the Krishna Anicut Enquiry Committee proposing the construction of a road regulator over the Krishna river; and

(b) if so, the action taken thereon?

THE HON. SRI N. RANGA REDDI :—" (a) Yes.

" (b) The State Government have approved the proposals and have addressed the Government of India for their concurrence because they are concerned with National Highway No. 5 which is proposed to be aligned over the bridge and have to bear a portion of the cost of the work and also because their prior approval is necessary to the State Government undertaking any work costing over Rs. 1 crore and this work is estimated to cost Rs. 2·36 crores."

MR. SPEAKER :—" We shall have a discussion on this later."

Government securities in Cash Balance Investment Account.

* 403 Q.—SRI M. NARAYANA KURUP : Will the Hon. the Minister for Finance be pleased to state—

(a) whether the securities of this Government worth Rs. 5 crores held in Cash Balance Investment Account in 1952–53 were sold, and if so, when and to whom;

(b) whether the Government sufferred any and what loss on account of the sale; and

(c) why they were sold at a loss?

THE HON. SRI C. SUBRAMANIAM :—" (a) Yes Sir, Government of India securities of a total nominal value of Rs. 463 lakhs were sold in July and September 1952, to the Government of India, through the Reserve Bank of India, at the market rates prevailing at the time of sale.

" (b) Yes, Sir. The loss on the sale was about Rs. 34½ lakhs, as compared with the price at which these securities were purchased originally at the end of 1947.

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"(c) The ways and means position of the Government necessitated the sale, large expenditure having been incurred on famine relief and capital works earlier in the year. The securities which were sold, earned interest at 2¾ or 3 per cent per annum, and as the prevailing rates of interest were higher, the market prices of these securities fell below *par*, which was inevitable."

SRI M. NARAYANA KURUP :—"Sir, may I know what were the circumstances that intervened between the presentation of the Budget for 1952–53 wherein full credit had been taken for this and the circumstances relating to the sale which had necessitated this loss to the Government?"

THE HON. SRI C. SUBRAMANIAM :—"Sir, even the Budget Statement for 1952–53 would indicate that we tried to dispose of these securities or get some accommodation from the Central Government. But the Central Government were not willing to give any further accommodation. So we were compelled to sell these securities."

SRI M. NARAYANA KURUP :—"Is it not a fact that the sale of these securities was necessitated due to the famine prevalent in this State and if so why should not the present Government press on the Central Government to give us some more favourable terms?"

THE HON. SRI C. SUBRAMANIAM :—"We are pressing and we shall continue to press the Central Government, Sir."

SRI V. BALAKRISHNAN :—"Did the famine needs of Rayalaseema make an irresistible demand on the finances of the Government?"

THE HON. SRI C. SUBRAMANIAM :—"I say, 'Yes,' Sir."

SRI K. KRISHNA RAO :—"In view of the fact that these securities had been sold almost by the hammer and had involved a heavy loss, why should not the Government ask for treasury bills or get an overdraft from any Joint Stock Bank if the Reserve Bank did not give them enough money?"

THE HON. SRI C. SUBRAMANIAM :—"Of course we tried the Scheduled Banks and as a result we were able to get only rupees one crore and that too at a relatively high rate of interest."

SRI V. V. RAMASAMI :—"Knowing full well the financial condition of this Government, did the Government of India take advantage of such fact and force us to sell these securities to them instead of giving us a grant?" 9-10 a.m.

THE HON. SRI C. SUBRAMANIAM :—"It is not a question of forcing at all. If they were not prepared to take it, we would have had to sell it in the open market at the market rates prevailing then."

Sri K. VINAYAKAM :—" In view of the fact that the Government were pressed for funds, they were forced or compelled to sell these securities and thus incur a loss of about Rs. 34 lakhs. In view of the fact that the Government of India had not come forward to help us with sufficient financial grants, would it not have been advisable for this Government of Madras to float a loan in the open market and thus replenish their funds? "

The Hon. Sri C. SUBRAMANIAM :—" We did float an open market loan, and we got Rs. 5 crores, and in addition to that, it was not possible to float another loan."

Sri T. N. VENKATASUBBA REDDI :—" In view of the fact that the Government of India were prepared to pay for these securities only at the market rates, may I put it to the Government that the State Government need not have bought the securities of the Government of India, but used their own discretion in buying whatever securities would not depreciate in the future? "

The Hon. Sri C. SUBRAMANIAM :—" I am afraid we will be gambling if we go in for other kinds of securities than those issued by the Government of India, which will fluctuate more violently in price. I wish to add that as a matter of fact, if we do not invest in Government securities, we will have only to invest in Government of India Treasury Bills which will yield only a lower rate of interest. As a matter of fact, we were earning three per cent, on sums which would have been otherwise lying idle. And even so, we earned about Rs. 60 lakhs by way of interest. And so, if we take the net transaction, we have gained about Rs. 29 lakhs."

Sri K. KRISHNA RAO :—" This Provincial Government was floating Treasury Bills in order to make up their ways and means position. May I know why they did not resort to the floating of weekly Treasury Bills and getting money at much cheaper rates of interest? "

The Hon. Sri C. SUBRAMANIAM :—" Even the Government of India decided that it would not be possible to raise any money by selling Treasury Bills; it is only very recently that they have again resorted to selling Treasury Bills; and even there, we do not know the secret of it, but it is stated in the finance magazines that it is only the Reserve Bank and other Scheduled Banks which are purchasing the Treasury Bills."

Construction of houses for the homeless in the City.

* 404 *Q.*—Sri A. RATHINAM : Will the Hon. the Minister for Co-operation be pleased to state how many houses were constructed by the Government for the homeless in the City of Madras during the past five years?

The Hon. Sri D. SANJIVAYYA :—" The Government have not so far constructed houses for the homeless, i.e., persons who live in street pavements and platforms in the City of

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Madras. The Corporation of Madras has constructed houses for the homeless in a few places which provide accommodation for nearly 250 families. It has also developed a few colonies in which sites are allotted to the homeless at a nominal rental. These colonies provide accommodation for nearly 1,000 families."

SRI A. RATHINAM :—" May I know from the Hon. Minister whether the Government are aware of the fact that untouchability is very acute in the City of Madras on account of non-admissibility of Harijan families to live side by side with caste Hindu families in rented buildings, and in view of that fact only the number of pavement-dwellers and the number of slums are increasing here day by day? "

THE HON. SRI D. SANJIVAYYA :—" It is not anything that I know of."

Allegations against the Superintendent, Government Mental Hospital, Madras.

* 405 Q.—SRI S. VEMIAH : Will the Hon. the Minister for Health be pleased to state—

(a) whether the Government received any complaint, dated 22nd November 1952 alleging maladministration, from workers of Government Mental Hospital, Kilpauk, Madras, against the Superintendent of the Hospital ; and

(b) if so, the stage at which the matter stands now?

THE HON. SRI A. B. SHETTY :—" (a) The answer is in the negative.

" (b) Does not arise."

Government Buildings in Government Estate, Mount Road.

* 406 Q.—SRI V. BALAKRISHNAN : Will the Hon. the Minister for Public Works be pleased to state—

(a) the number of permanent occupants of the Government buildings in the Government Estate, Mount Road, who are (1) officials ; (2) assembly members ; and (3) non-officials ; and

(b) the rent derived from each of the three categories in (a)?

THE HON. SRI N. RANGA REDDI :—

" (a) Officials	218
Members of the Legislature	4
Non-officials	6

" (b) Rs. 1,889-6-0 per mensem from officials.

Rs. 103-14-0 per mensem from Members of the Legislature.

Rs. 285-11-0 per mensem from non-officials."

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SRI V. BALAKRISHNAN :—" How many of the number given under 'Officials' belong to the category of the servants of the Government of India and how many belong to the category of the servants of the Madras State? "

THE HON. SRI N. RANGA REDDI :—" State Government officials are 214, Central Government officials are 4."

Nilambur Producers-cum-Consumers' Co-operative Society.

* 407 *Q.*—SRI K. P. GOPALAN : Will the Hon. the Minister for Co-operation be pleased to state whether the Government received any petition, dated 13th March 1953, from the Action Committee elected by the Nilambur Producers'-cum-Consumers' Co-operative Society share holders and the Public regarding the grave mismanagement of the society; and if so, what action has been taken thereon?

THE HON. SRI D. SANJIVAYYA :—" Yes, Sir. The matter is under examination."

SRI K. P. GOPALAN :—" Is it a fact that Rs. 80,000 were misappropriated in the Nilambur Producer-cum-Consumer Co-operative Society, and will the Hon. Minister be pleased to appoint an officer to go into the whole case of misappropriation by the P.C.C. Societies in Malabar and put an end to this kind of profession? "

THE HON. SRI D. SANJIVAYYA :—' It is a fact that such a huge amount is alleged to have been misappropriated and we have already referred the matter to the District Collector of Malabar who is vested with all the powers of the Registrar of Co-operative Societies, to look into the matter."

Reserve lands in Arungal village, Udayarpalayam taluk.

* 408 *Q.*—SRI K. R. VISWANATHAN : Will the Hon. the Minister for Land Revenue be pleased to state—

(*a*) the total extent of Harijan Reserve and ex-military Reserve lands available for cultivation in Arungal village, Udayarpalayam taluk;

(*b*) the number of acres out of these reserves brought under cultivation ; and

(*c*) whether the Government propose to convert these reserves into assessed waste lands?

THE HON. SRI M. A. MANICKAVELU NAICKER :—" (*a*) The total extent of Harijan Reserve lands is 474·41 acres. No land is reserved for ex-servicemen.

" (*b*) 36·82 acres.

" (*c*) No, Sir."

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SRI K. R. VISWANATHAN :—" May I know, Sir, whether in view of the fact that the present cultivators cultivate these lands for a number of years, the Government will assign these lands to the present cultivators irrespective of their community?"

THE HON. SRI M. A. MANICKAVELU NAICKER :—" The point is that that block of land is reserved for Harijans."

SRI K. R. VISWANATHAN :—" My question is : will these lands be assigned to the present cultivators irrespective of their community?"

THE HON. SRI M. A. MANICKAVELU NAICKER :—" The hon. Member may induce his hon. Friend the Harijan Member to agree to that."

SRI S. VEMIAH :—" May I know the total area of wet and dry land respectively out of this total area, Sir?"

THE HON. SRI M. A. MANICKAVELU NAICKER :—" I want notice, Sir."

Waste lands in Arungal village, Udayarpalayam taluk.

* 409 Q.—SRI K. R. VISWANATHAN : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the total extent of assessed waste lands available for cultivation in Arungal village, Udayarpalayam taluk;

(b) the number of acres out of the assessed waste brought under cultivation;

(c) whether the Government received applications for assignment of these waste lands by the cultivators; and

(d) the action taken by the Government on these applications?

THE HON. SRI M. A. MANICKAVELU NAICKER :—" (a) 1,120·25 acres.

" (b) 375·06 acres.

" (c) Only one application from an ex-serviceman has been received by the Deputy Tahsildar, Ariyalur, during this fasli.

" (d) The Deputy Tahsildar is taking action on this application."

SRI K. R. VISWANATHAN :—" Sir, it is really wonderful that in spite of various petitions by the cultivators concerned, who are on these 375 acres of land, the Government have not received any of their petitions, but that only one from an ex-service man has been received. Will the Government see that these 375 acres of land which are cultivated by the landless poor who have occupied these lands for a number of years are assigned to these landless poor people?"

THE HON. SRI M. A. MANICKAVELU NAICKER :—" I shall have it examined, Sir."

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Waste lands in Kuruvadi village, Udayarpalayam taluk.

* 410 *Q.*—Sri K. R. VISWANATHAN: Will the hon. the Minister for Land Revenue be pleased to state—

(*a*) the total extent of waste lands available for cultivation in Kuruvadi village, Udayarpalam taluk;

(*b*) whether the Harijans ever applied for assignment of these lands to them; and

(*c*) the action taken by the Government thereon?

The Hon. Sri M. A. MANICKAVELU NAICKER:—

"(*a*) 9 acres 92 cents.

"(*b*) Yes, Sir. In 1940.

"(*c*) The applications were rejected as the lands were situated within the Cauvery Mettur Project area and as there was ban on assignment of these lands at that time."

Sri K. R. VISWANATHAN:—" Sir, is the ban still continuing?"

The Hon. Sri M. A. MANICKAVELU NAICKER:—" I hope so, Sir."

Sri K. VINAYAKAM:—" Sir, in reply to previous questions, the Hon. Minister for Land Revenue was pleased to say that these lands were reserved for Harijans. When there is a specific case like the Cauvery-bund land, he says there is a ban. Will the Hon. Minister consider the desirability of removing the ban and assigning these lands to the poor Harijans who have been cultivating the lands for a long time?"

The Hon. Sri M. A. MANICKAVELU NAICKER:—" The previous question revealed, Sir, that when there is a reservation, the Harijans do not take advantage of it. But it differs in various places."

9-20 a.m. Sri T. NAGI REDDI:—" Sir, it depends on the kind of soil which the Harijans naturally want,—whether the soil is hard, whether the land is good for them to cultivate and whether it would be advantageous or not. Hence, will the Government take into consideration the specific request of the Harijans in this case and see that the ban is removed and the land is allotted?"

The Hon. Sri M. A. MANICKAVELU NAICKER:—

" There are certain rules obtaining now in regard to the matter. I shall examine whether anything can be done on the lines suggested by the hon. Member."

Sri G. RAMA RAO:—" Sir, the Hon. Minister was saying that he was hoping that the ban still continued. I want to know whether he has verified from local officials whether the ban is still there?"

The Hon. Sri M. A. MANICKAVELU NAICKER:—" Yes, the ban is there, because it is treated as a valuable land giving scope for irrigation facilities."

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Sri K. VINAYAKAM :—" Sir, in view of the existence of the ban and as the land could not be assigned to poor Harijans, may I know whether the Government have any proposal to assign the land to rich mirasdars who are non-Harijans and who are at present cultivating the land?"

The Hon. Sri M. A. MANICKAVELU NAICKER :—" There is quite a number of layers of men between the rich mirasdars and poor people."

Assignment of poramboke lands in Mettupalayam and Perundalaiyur villages, Gobichettipalayam taluk.

* 411 Q.—Sri P. G. MANICKAM : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) what is the total area of the bits of odai and foot-path poramboke lands in the Mettupalayam and Perundalaiyur villages of the Gobichettipalayam taluk, Coimbatore district, that were occupied by the adjacent land-owners for wet cultivation now evicted ; and

(b) whether the Government propose to assign these cultivable lands on patta to Harijans?

The Hon. Sri M. A. MANICKAVELU NAICKER :—" (a) Perundalaiyur village.—Nil, and Mettupalayam village 43 cents in fasli 1362.

" (b) No, Sir."

Sri P. G. MANICKAM :—" பெருந்தளயூர், மேட்டுப்பாளையம் கிராமங்களிலே அனேக துண்டு துண்டு நிலங்கள் அதிகமாக இருக்கின்றனவென்பது எனக்குத் தெரியும். அந்த நிலங்களையெல்லாம் கணக்கெடுத்து ஹரிஜனங்களுக்குக் கொடுக்க சர்க்கார் முன் வருமா ?"

The Hon. Sri M. A. MANICKAVELU NAICKER :—" No, Sir, the Minister would not come forward because there are foot-paths and also poramboke odais which cannot be assigned."

Travelling allowance to village officers in Malabar.

* 412 Q.—Sri M. NARAYANA KURUP : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether village officers in Malabar are paid any travelling expenses for attending to Jamabandi duties; and

(b) whether the village headmen and accountants of Palghat taluk, Malabar, were paid any and if so, what 'batta' for attending to Jamabandi duties during the last three years?

The Hon. Sri M. A. MANICKAVELU NAICKER :—" (a) The village officers (adhigari and menon) and the village menials of villages lying beyond a radius of five miles from the Jamabandi camp are being paid allowance at the following rates for attending to Jamabandi duties :—

(1) Adhigari—Re. 1 each for one day only.

(2) Menon—Re. 1 each per day for a maximum period of five days.

(3) Kolkaran (menials)—Rs. 2 for each village irrespective of the number of Kolkarans.

" (b) The village officers (Adhigari and Menon) of Palghat taluk were paid Jamabandi allowance at the rate mentioned in clause (a) for fasli 1361. Steps are being taken for the payment of the arrears of jamabandi allowance for faslis 1359 and 1360."

SRI M. NARAYANA KURUP :—" Sir, in view of the fact that the village peons have to go to the taluk headquarters at least once a month and for all that only this petty amount is paid to them for the whole year, may I know why even this small amount has not been paid so long? "

THE HON. SRI M. A. MANICKAVELU NAICKER :— " Yes, Sir, we have asked that it should be examined quickly and the matter expedited."

SRI M. NARAYANASWAMI :—" Sir, how is it that the allowance for the menials is not in proportion to the number of people who go to the Jamabandi work? "

THE HON. SRI M. A. MANICKAVELU NAICKER :— " There is no direct proportion between the number of people and the servants."

SRI T. LAKSHMINARAYANA REDDI :—" Are the Government aware, Sir, that the village officers are still forced to make free supplies to the revenue officials and that puts them in an awkward position? Will the Government take steps to see that these things do not continue hereafter? "

THE HON. SRI M. A. MANICKAVELU NAICKER :— " Yes, Sir, I said that the Government are examining the question."

SRI M. LAKSHMANASWAMY :—" May I know, Sir, whether the Government are paying travelling allowance to these menials? "

THE HON. SRI M. A. MANICKAVELU NAICKER :— " Yes, Sir. This covers that allowance; this is a lump-sum amount that is given."

SRI Y. V. KRISHNA RAO :—" Sir, in view of the fact that jamabandi means enormous expenditure to village officers particularly, will the Government consider the question of abolishing jamabandi itself? "

THE HON. SRI M. A. MANICKAVELU NAICKER :— " Does the hon. Member seriously suggest that, Sir? "

DR. K. B. MENON :—" May I know, Sir, on what basis this allowance is calculated? Is it calculated on the basis of the salary that the Adhikaris and Menons receive? "

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THE HON. SRI M. A. MANICKAVELU NAICKER :—
"This is a sort of *ad hoc* system."

Representations from the kisans of Chidambaram taluk.

*413 *Q.*—SRI S. RADHAKRISHNAN: Will the Hon. the Minister for Land Revenue be pleased to state whether the Government have received representation, in any form, from the kisans of Chidambaram taluk, South Arcot district, requesting the Government to extend the Tanjore Tenants and Pannaiyal Protection Act, 1952, to their taluk; and if so, what action the Government have taken thereon?"

THE HON. SRI M. A. MANICKAVELU NAICKER :—
"Two representations were received in January 1953 on behalf of the agriculturists of Chidambaram taluk praying for the extension of the Tanjore Tenants and Pannaiyal Protection Act, 1952 to their taluk. The question whether the Act should be extended to other areas particularly to Chidambaram taluk is engaging the attention of the Government."

SRI S. RADHAKRISHNAN :—"Are the Government aware of the fact that a grave situation is developing in the area due to brutal atrocities of the police, such as hunting, harassing and searching of persons, and molesting women and will the Government be kind enough to help these helpless souls by withdrawing the police at once?"

THE HON. SRI M. A. MANICKAVELU NAICKER :—
"A serious situation threatened to develop, but we have resolved it."

SRI K. R. VISWANATHAN :—"Sir, have the Government get any proposal to introduce this Act in the Tiruchirappalli district also?"

MR. SPEAKER :—"The hon. Member may put a separate question."

SRI K. ARANGANATHAN :—"Are the Government aware of the fact that 92 pannaiyals have been arrested and detained since?"

THE HON. SRI M. A. MANICKAVELU NAICKER :—
"The hon. Member seems to have latest information. He may pass it on to me."

SRI S. RAMALINGAM :—"Sir, in view of the recent disturbances around Chidambaram, in spite of the efforts of the Government the tenants there are afraid of the mirasdars of the area and fear that their lands will not be restored to them, will the Government consider the question of immediately extending the Tanjore Tenants and Pannaiyal Protection Act to Chidambaram and the area around it also, Sir?"

THE HON. SRI M. A. MANICKAVELU NAICKER :—
"The hon. Member is very much anticipating me. It is under the very active consideration of the Government now."

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Sri S. DEIVASIGAMANY :—" Sir, the Hon. Minister was just now saying that a serious situation was about to develop but that the Government had put it down. May I know, Sir, how and what steps the Government took to put down the serious situation?"

The Hon. Sri M. A. MANICKAVELU NAICKER :— " We averted the situation by peaceful and non-violent means."

Sri K. VINAYAKAM :—" Sir, is the Hon. Minister aware of the fact that the serious situation which threatened has not yet abated, that it is still continuing and that with the aid of the police the Government did not use non-violent methods but used lathis to repress these agitating tenants?"

The Hon. Sri M. A. MANICKAVELU NAICKER :— " Sir, the police are there as a stand-by. The mirasdars rose to the occasion; they were very magnanimous and the tenants also were reasonable and the whole thing was resolved."

Sri P. RAMAMURTHI :—" Sir, are the Government aware that even after the settlement, a number of mirasdars are getting the help of the police for the purpose of going back upon the agreement and imposing on the peasants the settlement on the basis of 33 1/3 per cent instead of the 66 2/3 per cent which was agreed upon?"

The Hon. Sri M. A. MANICKAVELU NAICKER :— " Simply because the police are there, the hon. Leader of the Opposition should not think that the mirasdars are using them."

Sri P. RAMAMURTHI :—" Sir, is the Hon. Minister prepared to conduct an enquiry into these allegations? We are prepared to prove the allegation that the police are being utilized for the purpose of imposing the settlement on the workers which is less advantageous to them?"

The Hon. Sri C. RAJAGOPALACHARI :—" If the hon. Member is imagining that we will encourage such a thing, he is mistaken. We promise to see that no misuse is made of the police, whether it be by the mirasdars or by anybody else."

Sri A. RATHINAM :—" I have received a telegram from Chidambaram in this connexion demanding the release of 90 peasants who were already arrested, at least on bail. I have got a copy of it with me which I pass on to the Minister."

The Hon. Sri C. RAJAGOPALACHARI :—" The question of interrupting judicial procedure cannot be taken up in this way. That must be gone into quite separately."

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Silver Hill Home and Certified School, Kozhikode.

* 414 *Q.*—SRI K. P. GOPALAN : Will the Hon. the Minister for Law be pleased to state— 9-30 a.m.

(*a*) the number of inmates (males and females) in the Silver Hill Home and Certified School at Kozhikode at present;

(*b*) the salary and allowances paid to the Superintendent of the Silver Hill Home and Certified School;

(*c*) the salary and allowances, if any, paid to the Assistant Superintendent of the institution and to the other officers in the institution;

(*d*) what is the monthly expenditure incurred to maintain the institution and the monthly income, if any; and

(*e*) whether the Superintendent and Assistant Superintendent are given rent-free quarters?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—" (*a*) The total number of inmates in the Silver Hill Home, Kozhikode, at present is 188 males and 115 females. The number of inmates in the Certified Schools at Kozhikode alone at present is 145 boys and 89 girls.

" (*b*) & (*c*) The Government do not pay any salary or allowance to the Superintendent, Assistant Superintendent or to the other officers of the institution.

" (*d*) The monthly grant paid to the Certified Schools under the Poor Homes Society, Kozhikode, by the Government for the years 1951 and 1952 is given below :—

	RS.	A.	P.
1951.			
January	6,241	15	0
February	6,097	8	0
March	5,880	0	0
April	5,590	0	0
May	5,622	9	0
June	5,538	0	0
July	5,400	0	0
August	5,279	0	0
September	5,086	0	0
October	5,198	12	0
November	6,688	0	0
December	6,465	8	0
1952.			
January	6,388	1	0
February	6,356	6	0
March	6,418	1	0
April	6,290	0	0

1952.	RS.	A.	P.
May	6,091	0	0
June	6,086	0	0
July	6,096	12	0
August	6,031	15	0
September	5,899	0	0
October	5,744	8	0
November	6,522	0	0
December	6,847	12	0

The Government do not get any income from the institution under the Society.

"(*e*) The Honorary Superintendent of the Society was previously residing in the Silver Hill Home and no rent was collected from him then. He is not now residing there. The Assistant Superintendent is residing in the Silver Hill Home and rent is not collected from him."

SRI K. P. GOPALAN :—"Is it a fact that the institution is mismanaged by the authorities there and may I know from the Hon. Minister what prevents the Government from running it as a Government institution like several other institutions in the State?"

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—"Regarding the first point as far as the Government are aware there is no mismanagement there. Regarding the second point, the Government themselves are running some institutions, and they are entrusting the management of some institutions to private bodies. The institution in question comes under the latter category and the Poor Homes Society, Kozhikode, is entrusted with its management."

SRI T. C. NARAYANA NAMBIAR :—"Have the Government received any representation or complaint either from the inmates or from any public bodies with regard to the management of the institution?"

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—"As far as I can recollect, I have not got any written complaint."

SRI KUNHI MUHAMED SHAFEE :—"Is there any other similar institution entrusted to private bodies like the Poor Homes Society, Kozhikode?"

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—"There are nine institutions like this in the whole State."

DR. K. B. MENON :—"Does the grant given by the Government to the institution bear any relation to the amount of public contribution and what is the public contribution received by the institution?"

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THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—" The grant is given on the basis of the number of persons admitted into the institution and it has nothing to do with public contribution."

SRI V. BALAKRISHNAN :—" Are the females in the institution full-bloomed females? "

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—" All females sent there under the Children Act are there."

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—ARRANGEMENTS FOR REPORTING MALAYALAM SPEECHES.

MR. SPEAKER :—" I have received notice of a motion from the hon. Member Sri T. C. Narayanan Nambiar, which he considers to be a privilege motion. It reads as follows :—

' This is to bring to your notice that the privilege of the Members of this House had been affected because of the fact the speeches made by the Members in Malayalam were not correctly, properly and fully reported on 30th March 1953.

I understand that there was no Malayalam reporter for Malayalam. This is against the procedural rules and has resulted in the curtailment of the rights of the Members of this House to get their speeches reproduced correctly in the official reports.' "

SRI T. C. NARAYANA NAMBIAR :—" Sir, I wish to offer an explanation. My object in giving notice of this motion is not to make any complaint about the particular reporter who was asked to report the Malayalam speeches on that day. The Official Report should contain a correct reproduction of the speeches made on the floor of the House. As far as Malayalam is concerned, I understand that there is only one reporter. If, unfortunately he falls ill, there is no other reporter. If Malayalam speeches are not properly reported, it is a curtailment of the rights of the Members who speak in Malayalam."

SRI P. RAMAMURTHI :—" Sir, no doubt this is a very difficult situation. Shorthand reporting in the vernacular languages has not sufficiently developed. Oftentimes we find that the reports of speeches in Tamil, Telugu or Malayalam are very inaccurate. I suggest that at least from the next session onwards, a dictaphone may be installed. It is not a very costly thing. This instrument has been installed in the Bengal Legislative Assembly during the last session. The dictaphone records the speeches on a tape which can be played back any number of times just like a gramophone record, and the speed can be regulated so as to be within the reach of the person who reproduces the speech for preparing the Official Report. The tape can be erased when done with, and used once again. The installation of a dictaphone will obviate the difficulties and enable the people to see what exactly a Member has spoken and how he has represented his constituency."

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THE HON. SRI C. RAJAGOPALACHARI :—" I would like the hon. Members to enlighten us on technical points. I do not think that dictaphone will help, because it will be as rapid and unintelligible as the speaker and we will have to employ steno-typists to interpret the dictaphone.

" Meanwhile, Malayalam Members will be obliging us by speaking in English ! "

SRI T. C. NARAYANA NAMBIAR :—" My point is that there is only one Malayalam Reporter, and nobody else has come for training because this State Government are not giving facilities for learning Malayalam Shorthand."

9-40 a.m. * THE HON. SRI C. RAJAGOPALACHARI :—" Mr. Narayanan Nambiar's point is not about inaccuracy in reporting. His point is that there is only one Malayalam Reporter and that, if he is absent due to illness or any other cause, we must have a substitute."

THE HON. SRI C. SUBRAMANIAM :—" Even this one reporter we got from another department. There is no properly qualified reporter in Malayalam in the department. The Hon. the Leader of the Opposition was good enough to give me information about the dictaphone a few days ago. We will have it examined, and if that is found good enough, we will adopt it."

MR. SPEAKER :—" I may at the outset inform the House that this is not a privilege motion. As for the contents of the motion itself, I should say that on the particular day in question there were a number of Malayalam speakers, and we know that Malayalam speakers speak very rapidly. Especially the hon. Member Sri K. P. Gopalan speaks as fast as an Express train. On that day the Malabar Tenancy Amendment Bill was under discussion, and a number of Malayali Members spoke in Malayalam. There was only one reporter. So, I asked another reporter who is not a Malayalam reporter but who knows Malayalam to help in reporting the Malayalam speeches. He may not have reported quite correctly. But the transcripts of the speeches of hon. Members are sent to them for correction. They can correct their speeches and return them. However, I shall also look into this matter. This motion, however, is not a privilege motion."

III.—MESSAGE FROM THE COUNCIL.

MR. SPEAKER :—" I have to announce to the House that I have received the following Message from the Hon. the Chairman, Madras Legislative Council, dated 7th April 1953 :—

'I transmit a copy of the Madras District Boards (Amendment) Bill, 1953 (L.A. Bill No. 13 of 1953), as agreed to by the Council without any amendment and signed by me.'

Point of order.

* SRI VAVILALA GOPALAKRISHNAIAH :—" I rise on a point of order, Sir. Rule 138 (1) of the Assembly Rules lays down—

'138 (1) As soon as may be after the commencement of the first session of each Assembly, a committee on Public Accounts shall be constituted for the purpose of dealing with the reports of the Comptroller and Auditor-General relating to the appropriation accounts of the State and such other matters as the Finance Department may refer to the Committee.'

We are now just at the end of the first session. The Committee is not elected. I think it will be improper for us to leave the Assembly without electing a Committee. Because, the old Committee ceased to exist with the commencement of the session, the committee must be constituted now or else it will be out of order."

MR. SPEAKER :—" This is no point of order at all."

IV.—GOVERNMENT BILL.

THE MADRAS TOBACCO (TAXATION OF SALES AND REGISTRATION) BILL, 1953—*cont.*

Clause 2.

MR. SPEAKER :—" The House will now take up the consideration of the Bill clause by clause. The motion is :—

'That Clause 2 do stand part of the Bill.' "

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Sir, I move the amendment standing in my name, namely,—

'*In Clause* 2 (8) after *the words* " *Presidency Magistrate* " insert *the word* " *or* ".'

This is necessary to set right the grammatical error."

MR. SPEAKER :—" The question is—

'In Clause 2 (8) *after* the words " Presidency Magistrate " *insert* the word " or ".' "

The amendment was put and carried.

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Sir, I move the amendment standing in my name, namely,—

'*In Clause* 2, *item* (13), *line* (2), *for the word* " *taxed* " substitute *the words* " *liable to tax*." ' "

MR. SPEAKER :—The question is—

'In Clause 2, item (13), line 2, *for* the word " taxed " *substitute* the words " liable to tax ".' "

The amendment was put and carried.

SRI D. SEETHARAMIAH :—" Mr. Speaker, Sir, I move the amendment standing in my name, namely,—

'*In Clause* 2 (13) after *the words* " *cigarette tobacco* " *occurring in the last line*, insert *the words* " *in the form of powder* ".'

Instead of saying 'tinned tobacco in the form of powder', it is stated here 'cigarette tobacco'. It is very ambiguous. Tobacco which is used for finer varieties or for preparation of cigarettes will also come under this definition. Therefore, to make it clear, I want that my amendment should be accepted."

The amendment was duly seconded.

MR. SPEAKER :—"The motion is—

'In Clause 2 (13) *after* the words "cigarette tobacco" occurring in the last line, *insert* the words "in the form of powder".'"

* THE HON. SRI C. RAJAGOPALACHARI :—"It is merely a question of language. Cigarette tobacco is exactly what we all know. It is not necessary to say 'in the form of powder', and it is not really powder."

MR. SPEAKER :—"Is the hon. Member Mr. Seetharamiah withdrawing his amendment?"

SRI D. SEETHARAMIAH :—"I must know what the Government have to say on my amendment. Then only I can withdraw."

MR. SPEAKER :—"The Hon. the Chief Minister has already explained."

*THE HON. SRI S. B. P. PATTABHI RAMA RAO :—"Sir, probably the hon. Member is imagining that this 'cigarette tobacco' will include leaf tobacco also, and that it includes unmanufactured tobacco too. Actually, cigarette tobacco is that which is manufactured and is ready to be rolled into cigarette. Only such tobacco will be taxed. Whether it is in tins or in packages, it will be taxed. If we say to-day 'tins', tomorrow they might change over to packages made of glazed paper. So, we have used the words 'cigarette tobacco'. This explanation, I hope, satisfies the hon. Member. Our intentions are quite clear. Therefore, the hon. Member may withdraw his amendment."

The amendment of Sri D. Seetharamiah was, by leave, withdrawn.

* SRI K. VENKAIAH :—"Sir, I move the amendment standing in my name, namely—

'Delete *sub-clause* (14) *of Clause* 2.'

Sir, manufactured tobacco is defined in this sub-clause. I propose that tobacco may also be defined in the same manner so that the leaf tobacco dealers may be exempt from this clause. Clause 3 requires the leaf tobacco dealers to register themselves. Clause 9 requires them to maintain accounts. I think they are not at all the people to be taxed. They have to pay something towards the registration fee. Now the leaf tobacco business is in a crisis, and to tax the tobacco dealer is not quite good. At present the tobacco dealers require help, and they ought not to be saddled with any

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burden of tax. So, I request the Hon. Minister to define tobacco and the manufactured tobacco in the same manner so that the leaf tobacco dealers may be exempt from the provisions of this Act."

The amendment was duly seconded.

MR. SPEAKER :—" The motion is—

' *Delete* sub-clause (14) of Clause 2.' "

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" I see that the hon. Member wants to combine sub-clauses (9) and (14) together. But here there is a slight difference between the two sub-clauses. Sub-clause (9) defines '*manufactured tobacco*' to mean, 'cigars, cheroots, cigarettes, cigarette tobacco, pipe tobacco, beedies and snuff, but does not include any preparation or mixture of tobacco intended for a further process of manufacture'. Sub-clause (14) says: " tobacco " includes *every form of tobacco*, that is to say, manufactured, cured, or uncured tobacco, any preparation or mixture of tobacco and the leaf of the tobacco plant'. It is better to retain the two separate definitions so that there may not be confusion. Clarity is always better. To combine these two sub-clauses will create confusion."

* SRI K. VENKAIAH :—" Sir, leaf tobacoo is not going to be taxed. There is no need for such dealers to get themselves registered and to maintain accounts. Therefore, if my amendment is accepted, it will save the leaf tobacco dealer from the burdens of this Bill." 9-50 a.m.

* THE HON. SRI C. RAJAGOPALACHARI :—" Sir, the hon. Member need not mix it up with the actual provisions of taxation, registration, etc. It is better in an enactment to keep these two things separate so that, if incidentally rules or other things refer to these matters, there may be no confusion. There is no harm whatsoever in having these two definitions separately."

MR. SPEAKER :—" The question is—

' *Delete* sub-clause (14) of Clause 2.' "

The amendment was then put and lost.

* SRI K. VENKAIAH :—" Sir, I move the following amendment :—

> ' *In clause* 2, *sub-clause* (15), after *the words* " *a wholesale dealer* " delete *the words* " *a retail dealer* " *and between the words* " *a grower* " *and* " *and the words* " insert *the words* " *a retail dealer* ".'

" The object of this amendment is to relieve the retail dealer from the burdens of registration and maintenance of accounts. The wholesale dealers can maintain accounts and they may be asked to register themselves under this enactment. But there is no necessity for the retail dealer to register himself under this

Bill. I think the retail dealer is already overburdened and the trade is in a crisis. It is better, therefore, to relieve him of these burdens."

SRI G. SATYANARAYANA :—" I second the amendment, Sir."

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Sir, this is only a definition wherein we include the types of tobacco dealers who have got to register themselves under this Bill. We are not going to collect tax from the retail dealers in general. The only question is who is the person from whom the tax should be collected; generally it is the wholesaler or the next man who buys from the wholesaler. We must know who are all dealing in the trade. After all, the fee is only one rupee for a year and it is not much."

MR. SPEAKER :—" The question is—

'In clause 2, sub-clause (15), *after* the words " a wholesale dealer " *delete* the words " a retail dealer " and between the words " a grower " and " and the words " *insert* the words " a retail dealer ".' "

The amendment was put and lost.

SRI T. C. NARAYANA NAMBIAR :—" Sir, I move the following amendment which stands in my name :—

'*In clause* 2, *sub-clause* (15), *for the words* " *but does not include a grower* ", substitute *the words* " *excluding a grower or a casual retail dealer* ".'

" Sir, there are certain people who invest some three or four rupees in their business during the time of some conferences or festivals which are very frequent in our country. If such people are asked to pay a registration fee of one rupee, it will be rather unfortunate."

* THE HON. SRI C. RAJAGOPALACHARI :—" Sir, there are a number of amendments to change the definitions. These are all connected with a desire to get a substantial change in regard to registration fee and the tax. We need not concentrate on definitions for that purpose. So far as the classes of people referred to by the hon. Member Sri Narayanan Nambiar are concerned, that is, people in the rural areas who do business moving about without any definite place of business like the shopkeeper but try to do small business on the roads or in the shandy markets and the like, it is the intention of the Government to introduce an amendment to exclude them from the rules relating to registration. So, we need not now concentrate on the definitions for that purpose and we will deal with it when the substance comes up for discussion."

The amendment was, by leave of the House, withdrawn.

Clause 2, as amended, was put and carried.

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Clause 3.

MR. SPEAKER :—" I will take up the amendment of the hon. the Leader of the Opposition at the end."

SRI K. RANGA RAO :—" Sir, I move the following amendment which stands in my name :—

' For *the existing sub-clause* (2) *of clause* 3, substitute *the following* :—

" (2) *Every person manufacturing cigars, cheroots, cigarettes, cigarette tobacco, pipe tobacco shall apply for registration in the prescribed form to the Tobacco Officer* ".' "

The amendment was duly seconded.

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Sir, this clause is intended only to get all persons doing business in tobacco registered. There is no harm in allowing the clause as it stands. So, I oppose the amendment."

The amendment was, by leave of the House, withdrawn.

SRI M. NARAYANASWAMI :—" Sir, I move the following amendment which stands in my name :—

' For *the existing sub-clause* (2) *of clause* 3, substitute *the following* :—

" (2) *Every person doing tobacco business shall apply in local vernacular language to the officer concerned.*" '

" Sir, it is not necessary for the dealer to apply for registration in a prescribed form. It has been found very difficult for the growers with regard to the Central Excise Act to approach the officer, get the form and fill it in the English language. The case is different with regard to traders, for they may be literate. So, I move the amendment in order to enable these people to apply in any form."

SRI K. GOVINDA RAO :—" I second the amendment, Sir."

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Sir, I may assure the hon. Member that forms will be supplied in the local languages and, therefore, there may not be any difficulty whatsoever. It is good that people apply in a particular prescribed form. The rules will provide that forms should be supplied in all local languages. No amendment is necessary."

(Sri K. Vinayakam rose.)

MR. SPEAKER :—" The hon. Member has no right to speak after the Hon. Minister has replied. I have to follow the rules in these matters."

SRI K. VINAYAKAM :—" On a point of information, Sir, the Hon. Minister was kind enough to say that forms will be supplied in all the Provincial languages that are spoken in the 10 a.m.

particular area. In a district like Chittoor which is a bilingual area, will he be pleased to supply forms in both Tamil and Telugu? "

THE HON. SRI C. RAJAGOPALACHARI :—" I appeal to Mr. Vinayakam and his friends to have a sense of proportion."

SRI K. VINAYAKAM :—" What exactly does he mean by sense of proportion, Sir? "

THE HON. SRI C. RAJAGOPALACHARI :—" We need not raise more important issues in this trifling matter."

SRI K. VINAYAKAM :—" The difficulty which has been experienced by the residents of Chittoor is a thing which the Chief Minister cannot easily appreciate. I am one of those who are suffering from this difficulty. He must give an assurance that forms in both the languages will be supplied."

* THE HON. SRI C. RAJAGOPALACHARI :—" As a matter of interest, the hon. Member Mr. Vinayakam may understand that I am in a more multilingual area myself than he is and I understand the difficulties of people. The Government have from time immemorial provided facilities to meet such difficulties."

SRI K. VINAYAKAM :—" They have not provided."

MR. SPEAKER :—" I shall put the amendment to vote. The question is—

'*For* the existing sub-clause, *substitute* the following :—

" (2) Every person doing tobacco business shall apply in local vernacular language to the officer concerned! " ' "

The amendment was put and lost.

* SRI S. RAMALINGAM :—" Sir, I move—

'*Between the words " in " and " tobacco "* insert *the word " taxed " and* delete *the brackets and words "(Taxed and untaxed) " and* add *the following after the word " untaxed " : " as wholesale dealer, wholesale-cum-retail dealer, broker, or commission agent.*'

I move this amendment so that only dealers in taxed tobacco may apply for registration and get registered. The Government themselves say that others need not be taxed. I want that those who are paying no tax need not be registered and put to unnecessary trouble."

The amendment was duly seconded.

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Actually, Sir, it is necessary to know who are all dealing in tobacco. It is not the intention of the Government to tax everybody. We must have a list of persons in the trade. For this purpose only we have included this provision and I feel it is unnecessary to amend it. I request the hon. Member to withdraw his amendment. We are, in fact, going to make rules to see that

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there is no hardship or harassment felt by any of the hawkers or those who trade in shandies. We will not give them any trouble whatsoever."

SRI S. RAMALINGAM :—" On the assurance given by the Hon. the Minister, I withdraw my amendment."

The amendment was, by leave of the House, withdrawn.

SRI K. P. GOPALAN :—" Sir, I move—

' Add *the following words at the end* :—

" *Within a week after the intimation with necessary vouchers of the payment of the fee.*" ' "

The amendment was duly seconded.

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" We are bound to issue a certificate probably within a week. A week is not a long period of time. When we receive fees, we are bound to issue the certificate and I do not think the sub-clause needs to be amended."

SRI K. P. GOPALAN :—" I withdraw my amendment."

The amendment was, by leave of the House, withdrawn.

Sub-clause (4).

SRI K. RANGA RAO :—" Sir, I move—

' For *the existing sub-clause*, substitute *the following* :—

" (4) *The fee shall be Rs. 5 for manufacturer to be registered.*" ' "

The amendment was duly seconded.

* THE HON. SRI C. RAJAGOPALACHARI :—" The hon. Member wants to reduce the registration fee for big folk. I do not think we can accept the amendment. Rupees ten is all right."

MR. SPEAKER :—" There are some amendments similar to this. Hon. Members who have given notice of such amendments may move them so that all may be discussed together and I shall put them to vote at the end." 10-10 a.m.

SRI D. SEETHARAMIAH :—" Sir, I move—

' For *the words and figure* " *the fee shall be rupee* 1 " substitute *the words* " *the fee shall be annas two* ".'

My objection is that registration of retail dealers and wholesalers is unnecessary in view of the fact that the Central Government themselves are insisting upon such a process and collecting one rupee from each dealer by way of stampage, etc. It is quite a burden on the dealers already and to require them to pay another

rupee is not fair. Two annas will be all right. They form a large number and it will really help the retailers particularly if we reduce it to two annas."

The amendment was duly seconded.

SRI D. SEETHARAMIAH :—" Sir, I also move—

'For *the words and figures* " *Rs.* 10 *for a wholesale dealer* " substitute *the words and figure* " *Rs.* 2 *for a wholesale dealer* ".'

This fee is also quite unnecessary. Then Rs. 10 is too much. Even ordinary people may be called wholesale dealers if they buy in a lump and sell. Such people constitute a large number. Therefore to charge ten rupees is an exaction. The amount should be reduced to Rs. 2 and I hope the Government will accept the amendment."

The amendment was duly seconded.

* SRI K. GOVINDA RAO :—" Sir, I move—

'For *the words and figure* " *the fee shall be Re.* 1 " substitute *the words and figure* " *the fee shall be annas* 8 "; *and*

'For *the words and figures* " *Rs.* 10 *for a wholesale dealer* " substitute *the words and figure* " *Rs.* 5 *for a wholesale dealer* ".'

Sir, these are very important amendments. The existing provision, though it seemingly affects the dealers, will ultimately affect the consumer. My point is whether it is levy of a tax or a registration fee, the entire burden will be shifted on to the consumer and we have seen it is so in respect of sales tax on cloth, etc. The consumer is already over-burdened and his position should not be made more difficult. I hope the Government will accept my amendments as the existing provision not only affects the dealer but the consumer as well. If left as it is, the consumer's position will become worse."

The amendments were duly seconded.

10-10 a.m. SRI G. SATYANARAYANA :—" Sir, I beg to move the amendments standing in my name, namely :—

'For *the word and gures* " *Rs.* 10 " substitute *the word and figure* " *Rs.* 8 ".

'*For the word and figures* " *Rs.* 10 " substitute *the word figures* " *annas* 12 ".' "

The amendments were duly seconded.

SRI D. SEETHARAMIAH :—" I beg to move, Sir, the following amendment :—

'For *the words and figure* " *The fee shall be Re.* 1 *for any retail dealer in tobacco and* " substitute *the words* " *The fee shall be* ".'

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"The idea is to remove entirely from the scope of the taxation or registration, the small retail dealer. That is why I have moved the amendment. If it is quite necessary the Government can tax the wholesaler but not the retail dealer. Therefore it is that I want the retail dealer to be completely exempted from the purview of taxation or registration."

The amendment was duly seconded.

* SRI K. VENKAIAH :—" I beg to move, Sir, the following amendment :—

'Delete *the words* " *Re.* 1 *for any retail dealer in tobacco and* " and add *at the end of the clause the following words* " *in tobacco* ".'

" In moving the amendment I suggest to the Government that if they want a list of retail dealers they can get it from the Excise department. Just to have a list of retail dealers it is not good to force the retail dealers to register themselves and maintain accounts. So I would request the Minister to delete the portion I have referred to and add the words ' in tobacco '."

SRI M. NARAYANASWAMI :—" In seconding the amendment I submit that the provision contained in the clause will unnecessarily create scare among the retail dealers while the amount that the Government will get is only Re. 1. So I suggest that it can be omitted."

* SRI S. RAMALINGAM :—" I beg to move the following amendment, Sir :—

'Delete *the words* " *Re.* 1 . . . *and* ".'

" There are so many small retail dealers including female dealers. If the Government want them to pay a rupee and also submit accounts, it will be impossible for them to do so. Therefore I request the Government to withdraw these provisions and say that they need not register themselves and submit accounts periodically."

The amendment was duly seconded.

SRI B. K. NALLASWAMI :—" I beg to move—

'*In clause* 3, *sub-clause* (4) after *the words* " *retail dealer* " add *the word* " *broker* "; *and* after *the words* " *wholesale-cum-retail dealer* " delete *the word* " *broker* ".'

" The Hon. Minister agreed beyond all doubt that the registration of the non-taxed tobacco dealers is intended only to have a list of these dealers. He has no intention to levy any fees for the sake of getting revenue. As such the clause must go as it is. Under this clause non-taxed tobacco dealers also have to submit accounts periodically which is also unnecessary from the point of view of the Hon. Minister himself. So I feel this is unnecessarily

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imposed on the non-taxed tobacco dealers. So I request the Hon. Minister to accept the amendment so that these dealers may be freed from taxation and registration."

The amendment was duly seconded.

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Sir, after hearing the hon. Members on the amendments they have moved to sub-clause (4) of clause 3, I wish to say that the registration fee is only Re. 1 for the whole year for a retailer. I hope hon. Members would agree that Re. 1 for the whole year is not too much for dealers in tobacco. I might also mention that even the forms and posting of certificates would cost something to the Government. The registration is going to be done practically at his door. Therefore they need not grudge paying this small fees, and no inconvenience would be caused to them. I feel Re. 1 is a reasonable fee. I have already explained that in certain cases where the dealers are poorer class of people going about selling in the streets and villages in headloads, they will be exempted from this by inserting necessary provisions in the Rules to be framed under the Act. They need not register themselves. But others who deal in tobacco must register themselves so that the Government may know who are all dealing in tobacco. I am therefore sure hon. Members will agree with me when I say, that the fee is reasonable and the clause may be accepted as it is.

" Sir, the other amendments are for reducing the licence fee of wholesale dealers to Rs. 2, Rs. 5 or Rs. 8. It is argued that it will be reasonable if the fee is reduced to Rs. 8. When Rs. 8 is considered reasonable for the whole year, I do not think that Rs. 10 is really unreasonable. I think the hon. Member who moved for the reduction of licence fees to Rs. 8 argued that the Indian National Tobacco Company and others were making a good lot of money by way of profits and all that. Is it therefore unfair to charge the wholesalers Rs. 10 per year—most of these people come under that category. This sum of Rs. 10 is nothing compared to the huge profits made by them. Therefore, I hope hon. Members would agree with me when I say, the clause may be accepted as it is.

" Sir, the hon. Member Sri Ramalingam referred to the difficulties in maintaining accounts. I have referred to it previously. I assure him once again that accounts will not be insisted upon from each and every person. Mostly we want to examine the accounts of the wholesalers only for locating the first sale. Some dealers are in Bangalore and other States and sales are effected to stockists here. In such cases we want to scrutinize the first sale accounts to know from whom they have bought and not to examine to which consumer they have sold. We are not interested in subsequent sales. We are interested to know where exactly they got the stock from and which is the first sale. Only for that purpose we want the maintenance of

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accounts. This will not cause any difficulty or hardship. I hope after hearing this explanation hon. Members would accept the clause as it is."

SRI VAVILALA GOPALAKRISHNAIAH :—" The Hon. Minister said that Government would exempt lower strata of the business people. Are the Government going to amend the Bill accordingly? "

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" It will be done under the Rules."

SRI VAVILALA GOPALAKRISHNAIAH :—" They may or may not do it under the Rules. Why not make it in the Act itself? "

* THE HON. SRI C. RAJAGOPALACHARI :—" Sir, the point that has been dwelt upon is the inconvenience that would be caused by maintenance and submission of accounts. The answer of the Hon. Minister is that we will not prescribe such accounts as will deal with the further trade of the retail dealer. All the accounts that we shall prescribe under the Rules to be framed under the Act will be accounts which will serve to check the taxation, that is to say, we must have accounts of the buyer and the seller at the first point where we tax so that they may be checked properly and traced properly. Any subsequent transaction of the dealer, in his capacity as a retailer, will not come under the prescribed accounts again. It will be free. That is the exact position."

SRI D. SEETHARAMIAH :—" Sir, the Hon. Minister told 10–20 a.m. us that he would exempt small retail dealers from the operation of this sub-clause. I want an assurance from the Hon. Minister as to how much quantum of business he would exempt for each retail dealer. If it is two maunds a month, the exemption would be very helpful to the small retail dealers or hawkers or pedlars. Therefore I want the Hon. Minister to tell us the quantum of business on which exemption will be given. Again he told us that the big wholesalers like the I.L.T.D. Company were earning huge profits and therefore the registration fee of Rs. 10 was not much. I agree and in fact I advocate that it should be even Rs. 1,000 which is reasonable for such big concerns. If the Hon. Minister had come forward with such a proposal, we on this side of the House would have earnestly supported it. Instead he was trying to level all the people, the big wholesalers and the small retail dealers alike, by fixing a uniform rate of Rs. 10 as registration fee. I therefore request the Hon. Minister to accept my amendments."

* THE HON. SRI C. RAJAGOPALACHARI :—" Sir, assurances are good to give and to take. But it is very dangerous to misunderstand the assurances. The hon. Member who last spoke was asking for exemption for a certain class of small retail dealers. It is not correct. The assurance is given to those people who

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really have no fixed place of business and who move about, viz., hawkers, etc., and not a particular quantum of business to be exempted."

SRI VAVILALA GOPALAKRISHNAIAH :—" Sir, my submission is that the exemption for small retail dealers should be included in the definition clause of the Bill itself."

* THE HON. SRI C. RAJAGOPALACHARI :—" Sir, the hon. Member has failed to understand the point. There is a provision in the Bill that only certain accounts should be kept, viz., prescribed accounts and those prescribed accounts are prescribed in the rules. There is statutory provision for exemption of those accounts which deal with small retail business, and not the wholesale business of purchase."

SRI K. RAJAGOPALA RAO :—" Sir, I have given notice of an amendment to sub-clause (5)."

MR. SPEAKER :—" We are now in sub-clause (4). The hon. Member will please follow the proceedings closely. Then it will be possible for him to understand it. I shall now put the amendments to vote."

MR. SPEAKER :—" The question is—

' *For* the existing sub-clause, *substitute* the following :—

" (4) The fee shall be Rs. 5 for manufacturer to be registered ".' "

The amendment was put and lost.

MR. SPEAKER :—" The question is—

' *For* the words and figure " the fee shall be rupee 1 ", *substitute* the words " the fee shall be annas two ".'

' *For* the words and figures " Rs. 10 for a wholesale dealer ", *substitute* the words and figures " Rs. 2 for a wholesale dealer ".' "

The amendments were put and lost.

MR. SPEAKER :—" The question is—

' *For* the words and figure " The fee shall be Re. 1 ", *substitute* the words and figures " The fee shall be annas 8 ".'

' *For* the words and figures " Rs. 10 for a wholesale dealer ", *substitute* the words and figures " Rs. 5 for a wholesale dealer ".' "

The amendments were put and lost.

MR. SPEAKER :—" The question is—

' *For* the word and figures " Rs. 10 " *substitute* the word and figure " Rs. 8 ".'

' *For* the word and figure " Re. 1 " *substitute* the word and figure " annas 12 ".' "

The amendments were put and lost.

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MR. SPEAKER :—" The question is—

'*For* the words and figure " the fee shall be Re. 1 for any retail dealer in Tobacco and " *substitute* the words " The fee shall be ".' "

The amendment was put and lost.

MR. SPEAKER :—" The question is—

'*Delete* the words " Re. 1 for any retail dealer in tobacco and " and *add* at the end of the clause the following words " in tobacco ".' "

The amendment was put and lost.

MR. SPEAKER :—" I wish to know whether Mr. S. Ramalingam is withdrawing his amendment."

SRI S. RAMALINGAM :—" Sir, I withdraw my amendment."

The amendment was, by leave of the House, withdrawn.

The amendment moved by Sri B. K. Nallaswami was also by leave of the House withdrawn.

Sub-clause (5).

SRI K. RAJAGOPALA RAO :—" Mr. Speaker, I move the following amendment :—

'Omit *the sub-clause*.'

Sir, I feel that this sub-clause is quite unnecessary as it will give unnecessary troubles to the dealers. I do not find the necessity in demanding applications for each and every shop owned by the same dealer, except the ambition of the Government to get more and more registration fee. I think it is better if all the shops are mentioned in one and the same application. Even if this sub-clause is omitted, the purpose of the clause will be served by sub-clause (4). So, I request the Hon. Minister to accept my amendment."

SRI K. GOVINDA RAO :—" Sir, I second it."

SRI K. RANGA RAO :—" Mr. Speaker, I move the following amendment :—

'For *the existing* sub-clause, substitute *the following* :—

" (5) *Where a person is having more than one manufacturing place, he need not obtain a separate registration certificate for every place of business* ".' "

SRI D. SEETHARAMIAH :—" Sir, I second it."

SRI D. SEETHARAMIAH :—" Mr. Speaker, I move the following amendment :—

'Add *at the end the following* :—

" *in which case such registered certificates will be granted free*." '

Sir, according to the sub-clause a wholesale dealer or retail dealer who has got branches in several places will be taxed more than once. The Central Government are taxing once and the State Government are taxing a second time and by this clause it means taxation a third time also and I do not see any necessity for this. Therefore, if a dealer pays a registration fee for the first time and gets a certificate, it will be just if the subsequent registration certificates are granted freely."

SRI M. NARAYANASWAMI :—" Sir, I second the amendment moved by Sri D. Seetharamiah."

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Sir, I oppose all the amendments. Suppose Spencer & Co. or Dalawai & Co. has several branches in one place or Dalawai himself as an individual has four branches and one main office in one and the same place. If we do not really insist on the registration of every branch, I am afraid it will be very difficult to trace whether there is sale through underhand means or by other wrongful means. I am sure that none of these concerns will feel the pinch of registration. Certainly a person who has so many branches will not feel it difficult to pay one rupee for a whole year and I do not think it is a hardship as the hon. Members seem to imagine. I feel that this fee is reasonable. As I have already said, the small hawkers or those poor people who have no particular place of business and who move about from place to place will be exempt from the operation of this rule and there will be no hardship for them. So, I request the hon. Members to withdraw their amendments and pass the clause as it is."

SRI K. RAJAGOPALA RAO :—" Sir, I am not convinced with the arguments advanced by the Hon. Minister. There are many small beedi merchants and if we mix up these small merchants along with the big concerns like the Spencers, then the small merchants will be hard hit. I therefore request the Hon. Minister to devise ways and means of protecting the small merchants. I press my amendment, Sir."

SRI M. NARAYANASWAMI :—" Sir, the Hon. Minister said that big companies like the Spencers would try to evade taxation."

* THE HON. SRI C. B. P. PATTABHI RAMA RAO :—" Sir, I did not say that they would evade taxation. I only said that we wanted to have a check on their sales and that we do not want to give them any scope at all for evasions."

MR. SPEAKER :—" I shall now put the amendments to the vote of the House."

The amendments of Sri K. Rajagopala Rao, Sri K. Ranga Rao and Sri D. Seetharamiah were put and lost.

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Sub-clause (6).

MR. SPEAKER :—" I will now take up amendment No. 100 given notice of by the hon. Member Sri T. C. Narayana Nambiar. Then I will take up other amendments. 10-30 a.m.

SRI T. C. NARAYANA NAMBIAR :—" Sir, I beg to move—

'For *the existing sub-clause* (6) *of clause* 3, substitute the following :—

" (6) *Without such registration certificate as aforesaid no person shall do business in tobacco with effect from* 1st *April* 1954." '

" Sir, under sub-clause (6) of clause 3 of this Bill it is stated that no person shall do business in tobacco after the expiry of *two* months from the commencement of this Act or such other as may be prescribed. According to sub-clause (7) of clause 3 a certificate shall be valid for only a year and shall be renewed from year to year on payment of the fee specified in sub-section (4). Suppose a petty dealer applies for the certificate to the concerned officer. Usually it takes a lot of time for him to get a certificate. He has to wait for it a long time. In case he fails to get the certificate within two months from the commencement of this Act he is prohibited from doing business. For no fault of his he has to suspend his business. That is why I have moved my amendment wherein I had stated that no person without such registration certificate as aforesaid shall do business in tobacco with effect from 1st April 1954. I think the Government will have no difficulty in accepting this amendment."

SRI S. RAMALINGAM :—" I second the amendment."

MR. SPEAKER :—" I will now take up amendment No. 10 of Sri M. Lakshmanaswami."

SRI M. LAKSHMANASWAMY :—" Sir, I beg to move—

'*That under sub-clause* (6) *of clause* 3 for *the words* " *after the expiry of two months from the commencement of this Act* ", substitute *the word and figures* " 1st *July* 1953 ".'

" Sir, the main reason for my moving this amendment is to give some time for the petty dealers to obtain their certificates to carry on their business. The present time-limit prescribed in the Bill, viz., two months from the commencement of this Act is too insufficient. I hope the Hon. Minister will accept my amendment."

SRI K. VINAYAKAM :—" I second the amendment."

MR. SPEAKER :—" I will take up the amendment of the Hon. Leader of the Opposition."

SRI P. RAMAMURTHI :—" Sir, I beg to move—

' *That under sub-clause* (6) *of clause* 3, for *the words* " *two months* " *in lines* 2 *and* 3, substitute *the words* " *four months* ".'

" Sir, my amendment is simple enough. It is only for extending the time-limit fixed for registration. Usually it often happens that printing of required forms for registration and the like take a long time in Government offices and so it may not be quite easy for petty dealers to get themselves registered within *two* months from the commencement of this Act. Therefore I think my amendment extending the period by four months may please be accepted."

SRI S. RAMALINGAM :—" I second the amendment."

MR. SPEAKER :—" I will now take up the amendments standing in the name of Sri K. P. Gopalan."

SRI K. P. GOPALAN :—" Sir, I beg to move—

" *That under sub-clause* (6) *of clause* 3, after *the words* " *registration certificate* " insert *the words* " *or payment of the fee* ". ' "

The amendment was duly seconded.

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Sir, various amendments have been moved seeking extension of time-limit for registration. The Chief Whip of the Opposition wants time till 1st April 1954 while the Hon. Leader of the Opposition wants it to be four months instead of two as prescribed in the Bill. Actually where do we stand now? We have stated that before two months expire from the commencement of this Act, a person should get himself registered or else he could not carry on the business. Actually our period may begin from the middle of June or beginning of july.I think there is enough time for these petty dealers also to get themselves registered in the interval. Hence I request the House to reject all the above amendments."

SRI T. NAGI REDDI :—" Why not fix a specific date? Why say till such time as may be prescribed by Government? "

SRI PILLALAMARRI VENKATESWARLU :—" May I know whether the Government are reasonable in this matter? "

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" By the time this Bill is passed into law, I am sure the hon. Member will realize that we have been quite reasonable."

* THE HON. SRI C. RAJAGOPALACHARI :—" The hon. Member Sri K. P. Gopalan seems to think that if a dealer pays the required money and does not get the certificate then he will be in trouble. Let him not have such fears. Payment of necessary fee itself requires proof. I do not think he need press his amendment."

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SRI T. C. NARAYANA NAMBIAR :—" Sir, I request that at least the amendment of the hon. Leader of the Opposition may be accepted. As far as my amendment is concerned, I do not think I can withdraw it."

MR. SPEAKER :—" I shall now put the amendments to the vote of the House."

The amendments of Sri Narayana Nambiyar, Sri M. Lakshmanaswami, Sri P. Ramamurthi and Sri K. P. Gopalan were put and lost.

New sub-clause (8).

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Sir, I beg to move—

' Add *the following as sub-clause* (8) *of clause* 3 :—

" (8) *The State Government may, by rules made in that behalf, exempt from the operation of sub-sections* (1) *to* (7) *of this section, any class of persons who do business in tobacco in rural areas, not being persons who do business in taxed tobacco or persons having any shop or fixed place of business.*" ' "

MR. SPEAKER :—" Amendment moved—

' *Add* the following as sub-clause (8) of clause 3 :—

" (8) The State Government may, by rules made in that behalf, exempt from the operation of sub-sections (1) to (7) of this section, any class of persons who do business in tobacco in rural areas, not being persons who do business in taxed tobacco or persons having any shop or fixed place of business." ' ".

SRI PILLALAMARRI VENKATESWARLU :—" I want to know why the Government are so very vague."

THE HON. SRI C. RAJAGOPALACHARI :—" In order to cover as many cases as possible, Sir." (Laughter.)

* SRI S. RAMALINGAM :—" I heard the words ' rural areas ' mentioned in the motion that was just moved. I do not know what exactly the term ' rural areas ' mean. What about small persons who do business in tobacco in towns, Sir? "

THE HON. SRI C. RAJAGOPALACHARI :—" Those who do such business in urban areas are smugglers, Sir."

The amendment was put and carried.

MR. SPEAKER :—" The question is that clause 3 as amended stand part of the Bill. The Hon. Leader of the Opposition may now speak on his amendment that clause 3 as a whole be omitted."

AN HON. MEMBER :—" Is it an amendment, Sir? "

MR. SPEAKER :—" No. An amendment cannot be moved at this stage. The hon. Leader of the Opposition is at liberty however to oppose the Motion that clause 3 as amended stand part of the Bill. It is left to the House to reject or accept his view."

SRI P. RAMAMURTHI :—" Sir, I beg to oppose the whole of clause 3 as amended.

" Sir, clause 3 deals with the registration of all dealers in tobacco in the State of Madras. The main object is to tax those people who do business in tobacco and thus get revenue for the Government from such taxation. For the purpose of collecting the tax the Government think it necessary that all dealers should get themselves registered. For instance the Government of India are collecting income-tax. All those people who are liable to pay the tax need not register themselves and they need not have the registration certificate. But of course that is quite a different Act altogether. Here it is required that a certain class of people who are dealing in tobacco of a particular variety should be taxed on their turnover. I am certainly not against the imposition of tax on the wholesale tobacco dealers. In fact I may even agree to the enhancement of the tax so far as the wholesale dealers are concerned. The present registration fee of Rs. 10 for the wholesale dealers is not the one to which I am objecting. I am only objecting to the provision in the Bill requiring that all dealers in tobacco irrespective of the fact whether they are taxed or untaxed, should get themselves registered. The fee in the case of retail dealers is Re. 1. I am not against the quantum of payment. That is a different matter. But the specific provision requiring that all small dealers also should get themselves registered by paying the necessary fee is one which I think would cause great harassment to the small dealers who eke out their livelihood by this business. The punishment is also high. In case these petty dealers fail to get themselves registered within two months from the commencement of this Act, they can no longer carry on their business. I think that that alone is a very strict provision. We should not allow the petty dealers to be harassed. It should be the object of this measure not to cause harassment to any one. If the Government so desire, they may enhance the rate of taxation. I am not bothered about it; we are not looking at it from that point of view; we are mainly looking at it from the point of view of the ordinary dealer who should not be harassed as a result of this clause."

10-40 a.m.

* THE HON. SRI C. RAJAGOPALACHARI :—" Sir, this is a very general and a very important matter covering probably the whole policy. We are taxing only a certain kind of people at one point, and we are taxing at the earliest opportunity that we can take under the Constitution, namely at the first point wherever it may be. The question is raised why then should we impose

the duty of registration and keeping accounts on others? Hon. Members are aware that there is a differential rate of taxation prevailing in India now in respect of this matter. Even where the tax is only at one point, in some States it is much less while in other States it is more, and in our own State it is pretty high. So, there is a natural tendency for the commodity to drift here. Tobacco will come into this State from other States where the tax is less and therefore the saleable value is less, and so we must have some sort of control over this business. After all, the wholesaler does not get it straight to the consumer; he goes to the people who do the sale for him. And the smuggler therefore finds the smaller dealer a convenient tool for him to carry on his business. The cigarettes and other kinds of taxed tobacco do not go straight from the smuggler to the consumer. They do not go to the rice shop or shops where other commodities are sold; they go to places where similar commodities are sold, such as beedies and snuff and other such tobacco which are not taxed. Therefore, Sir, it is necessary to have at least a registration of these dealers who can be warned, examined and advised and can be asked to avoid smugglers and the like, and in a way we can have a certain amount of control over the business. It is with this object, Sir, that we have put down a clause on registration, taking away the sting of a licence and the further sting of a possible refusal. Here is a rule by which every one has a right to get registered. Everybody who deals in this business, if he pays Re. 1 and gets the certificate in the prescribed form, he can exhibit it on the shop's name-board and also display the fact that he is—not an ordinary dealer—but a recognised dealer. I submit, Sir, there is nothing at all annoying or unattractive in this proposal."

SRI VAVILALA GOPALAKRISHNAIAH :—" There is my amendment, No. 5, Sir, to omit the clause."

MR. SPEAKER :—" In that case, he can as well oppose the calsue itself."

SRI VAVILALA GOPALAKRISHNAIAH :—" But I think the Government have already replied."

MR. SPEAKER :—" The hon. Member could not move any amendment, but can oppose the whole clause. I now put clause 3 as amended, to the vote of the House."

Clause 3, as amended, was put and carried.

Clause 4.

* SRI K. R. VISWANATHAN :—" Mr. Speaker, Sir, I move the following amendment :—

> ' *In clause* 4, for *the word* " *turnover* " *wherever it occurs*, substitute *the word* " *profits* " *and* for *the figure* " 30 " *wherever it occurs*, substitute *the figure* " 50 ".'

In doing so, I have to state that the tax is now proposed to be levied on the turnover. It will be quite proper if the tax is levied on the profit alone. It is stated that about 100 to 200 or even 300 per cent is obtained as profit, and so it is better to tax on the turnover. I think we cannot say that the trade will be getting a profit always; it is quite likely that the trade may incur a loss at some time or other. So, if the same percentage of tax is to be levied, it is quite likely that the trade itself will dwindle in course of time, with the result that there will be no substantial return to the exchequer, as expected by the Government. That is why I suggest that instead of the tax being levied on the turnover, it may be levied on the profit only, and that the percentage of tax may be raised from 30 to 50 on the profit, in order to compensate for a likely loss in the amount. With these few words, Sir, I move my amendment."

The amendment was duly seconded.

THE HON. SRI C. RAJAGOPALACHARI :—" I take it that all the amendments will be moved now."

MR. SPEAKER :—" We are taking up sub-clause after sub-clause."

THE HON. SRI C. RAJAGOPALACHARI :—" Then I will make this reply. The point is very short. The hon. Member's amendment would simply try to make it an income-tax. I do not think we have got the power to do it at all."

SRI K. R. VISWANATHAN :—" I shall then withdraw the amendment, Sir."

The amendment was, by leave of the House, withdrawn.

MR. SPEAKER :—" We now take up amendment No. 36 of the Government."

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Sir, I move—

> ' *In the proviso to sub-clause* (1) for *the words* " *the Indian Union* " substitute *the word* " *India* ".'

It is only a formal amendment."

MR. SPEAKER :—" I am putting the amendment to the vote of the House."

The amendment was put and carried.

SRI PILLALAMARRI VENKATESWARLU :—" Sir, the Government are moving some amendment or other to each clause. My request to the Government as well as to you, Sir, is this : All the amendments which the Government intend to move may be given notice of, at least at this stage, so that we may have some time to look into them."

MR. SPEAKER :—" All the amendments given notice of have already been roneoed and circulated."

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Sri K. RANGA RAO :—" ఈ పన్నును manufacturers దగ్గరనుంచి వసూలుచేయుడం చాలా సబబుగా ఉంటుంది. కనుక నా amendment ను అంగీకరించడం అవసరమని భావిస్తున్నాను. నా సవరణ ఇది.

'For *the word* "*seller*" substitute *the word* "*manufacturer*".'"

Mr. SPEAKER :—" The amendment falls through for want of a seconder."

Sri PILLALAMARRI VENKATESWARLU :—" Sir, I move the amendment standing in my name, viz."

Mr. SPEAKER :—" The hon. Member can move both his amendments Nos. 12 and 13."

Sri PILLALAMARRI VENKATESWARLU :—" Sir, I move the following amendments :—

'*In sub-clause* (2), *proviso*, omit *the words* "*or the agent or commission agent*."'

Also,

'Add *the following proviso at the end* :—

"*Provided that the prices prevailing on the* 1st *March* 1953 *shall not be enhanced*."'

" Sir, I will first read out the proviso in the Bill. It reads—

'Provided that where the sale is effected through an agent or a commission agent, the tax may be collected either from the seller or the agent or the commission agent.'

There is nothing definite here. After all, we are sitting here like a Select Committee and going through every clause and scrutinizing every clause and proviso. I would like to know the purpose of the Government in keeping things so vague. Any one of them can collect, and that can be specifically stated here. I should like to have a reply from the concerned Minister on this point."

The amendments were duly seconded.

* The Hon. Sri S. B. P. PATTABHI RAMA RAO :—" I find it is really necessary to include all of them for this reason : sometimes the headquarters of these companies or wholesale dealers is not in this State; they have their headquarters in Calcutta, Bombay or Hyderabad and do their business through their agents here and that is why it is necessary that the clause should be there."

Sri PILLALAMARRI VENKATESWARLU :—" I do not press my amendments, Sir."

The amendments were, by leave of the House, withdrawn.

Mr. SPEAKER :—" We now come to sub-clause (3). Mr. Gopalakrishnaiah will move his amendment No. 18."

Sub-clause (3).

* SRI VAVILALA GOPALAKRISHNAIAH :—" Sir, I move the amendment standing in my name, viz.—

'(i) *In sub-clauses* (*a*), (*b*) *and* (*c*), for *the figures and words* " 30 *per cent* ", substitute *the figures and words* " 10 *per cent.*"

'(ii) After *the word* " *turnover* " *wherever it occurs*, insert *the words* " *or compounded sum* ".'

Sir, the Central Government have already been taxing this tobacco in some way, and we are now taxing it further. Therefore we must tax at a lower rate. Secondly, if we say 'turnover', the middleman may not be able to maintain all the necessary accounts. In connexion with the Motor Vehicles Taxation Bill, in order to avoid going into all the accounts, we adopted the idea of levying a compounding fee. That idea came from the Government themselves, and that amendment was suggested at the time we were discussing the provisions of that Bill in the House itself. Similarly here, I now appeal to the Government to make necessary provision for a compounding fee, so that the petty dealers who are dealing in this commodity may be enabled to pay the tax without undergoing the cumbersome business of maintaining accounts, etc. I also appeal to the Government to decrease the amount of taxation."

The amendment was duly seconded.

MR. SPEAKER :—" Next comes the Government amendment."

SRI PILLALAMARRI VENKATESWARLU :—" Why not the Speaker allow me to move my amendment now ? "

MR. SPEAKER :—" If the Government are allowed to move their amendment first, the position may perhaps be made clear; the hon. Member may move his amendment afterwards if he still thinks it necessary."

SRI PILLALAMARRI VENKATESWARLU :—" But my amendment was given notice of previously."

THE HON. SRI C. RAJAGOPALACHARI :—" The Government are responsive; the hon. Member must permit the Government to be responsive."

10-50 a.m. * THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Mr. Speaker, Sir, I beg to move the following amendment to sub-clause (3) :—

'For *sub-clause* (3), substitute *the following* :—

" (3) (*a*) (1) *No tax shall be levied on sales of cigarettes which are sold by the person taxed at less than 3 pies per cigarette and are to be sold at the retail point to the consumer at not more than 3 pies per cigarette.*

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(2) *On sales of cigarettes not falling under sub-clause* **(1)** *above, the rates of tax shall be as follows* :—

	Per cent of the turno er.
(*i*) *On cigarettes which are sold by the person taxed at less than* 6 *pies per cigarette and are to be sold at the retail point to the consumer at not more than* 6 *pies per cigarette.*	10
(*ii*) *On cigarettes which are sold by the person taxed at less than* 9 *pies per cigarette, and are to be sold at the retail point to the consumer at not more than* 9 *pies per cigarette.*	20
(*iii*) *On sales of cigarettes not falling under item* (*i*) *or* (*ii*) *above.*	30

(*b*) *The rate of the tax payable under sub-section* (1) *on cigars and cheroots shall be* 30 *per cent of the turnover* :

Provided that the turnover shall not include the sale amount of cigars and cheroots which are sold by the person taxed at less than two annas per cigar or cheroot and which are to be sold at the retail point to the consumer at not more than two annas per cigar or cheroot ;

(*c*) *The rate of the tax payable under sub-section* (1) *on pipe tobacco or cigarette tobacco shall be* 30 *per cent of the turnover.*" ' "

MR. SPEAKER :—" I shall read the Government amendment. By that amendment, the whole sub-clause has been changed, and the Government seem to have incorporated the purport of all the amendments given notice of by hon. Members. After I read the amendment, hon. Members can withdraw their amendments or not, as they please."

SRI T. NAGI REDDI :—" Will the Government please circulate their amendment to us? "

* THE HON. SRI C. RAJAGOPALACHARI :—" Sir, it has been read out by the Hon. Minister, and the structure is this : hon. Members will see that in most parts the Government amendment is a repetition of the present provisions. The whole sub-clause has been re-drafted incorporating the proposals now made. Briefly, the proposals are : exemption from taxation, as in the original Bill. Except in cases where there is exemption and except where there is reduction by the present amendment,—the 30 per cent tax remains as before. The reduction now proposed is this :

on two classes of cigarettes there will be lesser tax than 30 per cent. One is cigarettes which are sold by the wholesaler at less than 6 pies and are intended to be sold by the retailer to the consumer at not more than 6 pies,—the tax in that case will be 10 per cent of the turnover; and on the next grade, that is, cigarettes which are sold by persons taxed at less than 9 pies and are intended to be sold to the consumer at not more than 9 pies, the tax will be 20 per cent of the turnover. These are the two changes now introduced. Two important slabs have been put down, which are more or less between the very poor man's smoke and that of the man who smokes superior types. These two slabs will be 10 per cent and 20 per cent. I submit, Sir, that this probably has gone far beyond the expectations of some of the Members on the opposite side. It is very reasonable. I may say that the Government after fuller consideration of the general opinion prevailing as well as the possible effects on the trade as a whole, all taken together, have decided on this as a reasonable compromise. We need not spend any more time on the various minor amendments given notice of by hon. Members and I trust they will accept this amendment as a whole."

SRI P. RAMAMURTHI :—" Sir, it is a good thing that the Government have accepted our suggestion for the substitution of the slab system for the flat-rate system of taxation. The only thing we have got to consider here is this : I am glad they agree that certain classes of cigarettes have got to be exempted. The real question to be considered is whether the intentions are actually carried out in this amendment. The trouble is this : I believe the Chief Minister will understand why it is that we are suggesting some other types of amendments. To-day the exemption is given to all cigarettes sold at 3 pies. And what are the cigarettes that are on the market to-day which are being sold at 3 pies per cigarette? Actually, if we take the Star cigarette or the Passing Show or the Charminar,—excepting these, which are very rarely used, all the other cigarettes are being sold at 3 annas and not at 3 pies. Therefore, the exemption given becomes a fictitious exemption, not a real exemption. That is why we say that if the Government really know what exactly is the condition in the market, what varieties of cigarettes are sold at 6 pies and 3 pies, then we will be in a position to see whether we can carry out the spirit with which the Government have moved their amendment now.

11 a.m. " It is on that aspect of the matter that I am canvassing this for the purpose of discussion. Therefore, if you take the market, as I pointed out already, except Charminar, no other type of cigarette gets any exemption. That is, the majority of the brands do not get any exemption whatsoever. Akbarshaw, White Elephant and cigarettes of this type are not now in the market. We should therefore take into consideration the common varieties of cigarettes, for example, the Scissors cigarette. It is sold not at 6 pies per cigarette but at 7 pies. That is why, Sir, I suggest that if the intention is to exempt common varieties, we should bring

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forward a suitable amendment. I would therefore request the Government to reconsider the whole question and if necessary, we can work out the details and if Government agree we can exempt all these varieties. If it becomes necessary, we can also go into the question of taxation, not per cigarette but a packet of cigarettes. I therefore suggest that this amendment requires to be amended still further and I would request the Government to reconsider the whole matter and bring in an amendment later on."

Sri T. NAGI REDDI :—" Sir, I am glad that the Government have come forward with a suggestion giving some scope for us to convince them, not that they should not tax, but to see that the prices of cigarettes which the middle class are using are not raised. That is our intention to-day. For example, if we take Scissors, our intention is to limit the price at a particular level. It is good that the Government have placed before us a graded system of taxation. But, I would request them to go a little further and delete the first portion of the amendment and increase the taxation in respect of the articles in the third item of the amendment a little more, if necessary. They may consider this suggestion somewhat carefully. I can tell the Government because I am myself a heavy smoker—and probably as the Chief Minister does not smoke, the whole trouble in regard to taxation on smoking has arisen—that the 30 per cent suggested in the last portion of the amendment can be raised even to 50 or 60 per cent. There would be no objection, because that brand of cigarettes is not being smoked either by the middle class or the ordinary people . . ."

The Hon. Sri C. SUBRAMANIAM :—" Ministers also smoke Scissors."

Sri T. NAGI REDDI :—" Nawabs also smoke Charminar, but that does not mean that they are using costly cigarettes. My suggestion is, my hon. Friend, Mr. Pillalamarri Venkateswarlu has given notice of an amendment which comes later on in which he has suggested that the prices of cigarettes should be controlled at the level at which they are to-day. I would request the Government to control the prices of all kinds of cigarettes. (Interruption.) Not that I want you to control the cigarettes that I do not use, but I want you to control the prices of all cigarettes used by ordinary men and whether I go down in my smoking or go up along with payment and smoke less, that is a different matter. My brand need not be controlled at all, but I want that brand which is being used by the ordinary men, for instance, Scissors brand and the brands below that, should be controlled at the rates at which they are now being sold. That would be helpful."

The Hon. Sri C. SUBRAMANIAM :—" That will affect the grower of tobacco, because he has to pay more."

Sri T. NAGI REDDI :—" The grower of tobacco will have to fight for his own and I am sure whether we control the prices

of cigarettes or not, this Bill is going to affect him also. Of course, I have not yet studied that problem carefully, but as I said, this will have repercussions on the growers also. That is a different matter. Whether the price is controlled or not, reaction on the growers market will be there and we have to go into it carefully. But as far as the Bill is concerned, a very reasonable proposition has been made and the manufacturers of cigarettes will be able to get the money even if we control the prices at a particular level, even allowing for taxation.

" Of course, Government have been trying to adjust matters, as will be seen from the amendments that they have proposed. But my suggestion would be that the 30 per cent proposed in the last item of the amendment, may be raised to 50 or even 60 per cent and the first portion of the amendment relating to 10 per cent taxation on cigarettes sold at less than 6 pies and so on may be dropped. I hope the Government will give consideration to my suggestion. Of course, I do not want the Ministry and the Members of the House to be in a hurry, but they may think over the matter and see whether it is acceptable so that it may be satisfactory to the people in the State, especially the middle class which is to-day feeling the pinch."

Mr. SPEAKER :—" I wish to make the position clear. The Government have moved an amendment to sub-clause (3) of clause 4 and if that is accepted all the other amendments to the sub-clause given notice of by hon. Members will be out of order. Hon. Members if they so desire may move amendments to the Government amendment."

Sri P. RAMAMURTHI :—" May I suggest one thing? The consideration of the whole matter may be taken up later, so that the Government may think over the whole position."

Sri PILLALAMARRI VENKATESWARLU :—" In regard to procedure, what I would suggest is, let all the amendments to this clause be taken up. Let me make myself clear. Because the Government have given notice of an amendment we are not exactly in a position to understand its implications. At the same time, I may point out that we have also given notice of better amendments. So, all these things must come before the House. I suggest therefore, let the Government amendment be taken up at the end."

Mr. SPEAKER :—" If it is the desire of the House, I have no objection. But I cannot take up the amendment of the hon. Member."

* The Hon. Sri C. RAJAGOPALACHARI :—" Sir, let me appeal to hon. Members. When there is some responsive attitude on the part of the Government and we make a proposal consolidating all considerations in the shape of an amendment, there necessarily follows a certain amount of disturbance of normal procedure. Notice of amendments were given to the original Bill

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and this proposal of the Government does cause disturbance to hon. Members' plans of amendment. I admit that. But if we follow procedure rigorously, what will happen is, an uncompromising attitude will be taken up and developed. Therefore, we must adjust each other's position to some extent. The idea that we have not given proper consideration, that we should take more time and so on, is not correct. We have considered this matter, because the problems raised, the amendments that have been raised and the arguments that have been raised, are all inherent in the matter. We have given careful consideration—reconsideration also—to many matters. In the light of the general discussion that took place the other day, we sat down, we considered and we came to this conclusion. I am only giving the assurance that 11-10 a.m. we have given full consideration and nothing is gained by further postponement. On the contrary I am quite clear in my mind that in some respects we have gone beyond what hon. Members might have thought that we would yield. Let there be no idea that there has been any want of consideration or adequate consideration.

" Regarding the question of knowledge, let me tell Mr. Nagi Reddi that I am not as ignorant as I appear to be. Hon. Members may take it that I know a great deal more about smoking than probably they themselves know. I can give them the classification and the varieties, the quantity of nicotine in each variety, I can advise them as to what they should smoke and should not smoke, and also as to the manner in which they should smoke. When I was a young student at college, I was not altogether unacquainted with this vicious habit! Let me ask hon. Members not to assume complete ignorance on my part.

" We have done all that we could possibly do for the poor man's smoke. Let me also tell hon. Members that so far as I am concerned, I do not think in terms of absolute opposition to this habit which is no doubt bad from the point of view of health. At the same time, it has got a certain connexion with the way of life in which people carry on. They want some occupation or other, and a certain amount of nicotine helps in quelling so to say certain disturbances of the mind. It is a sedative, as it is called. If there is over indulgence in smoking, it becomes a narcotic. I do not take up an attitude of absolute antagonism towards smoking as some people imagine. We must allow certain evils; otherwise we will be going into bigger and greater evils.

" The question is how far we should go. We are not living in America or England and the poor man's smoke in this country is beedies and cheroots, and these we have totally eliminated from taxation at any point. As a result of modern advance in standards of living, even people who used to smoke beedies some two years ago have taken to cigarettes. Beedies are much better than cigarettes from the point of view of health. (Sri T. Nagi Reddi : 'No, no '.) The hon. Member does not know. Beedi smoke does not disturb the delicate membranes of the lungs as much as cigarette smoke. Beedi smoke is not inhaled as cigarette smoke is and

is therefore not absorbed into the system as much as the cigarette smoke. Cigarette smoke being apparently weaker is inhaled and is therefore worse for the lungs. I need not enter into a disquisition on the subject. We have kept out all poor man's smoke. Next comes the middler's smoke—the smoke of the aristocracy of the trade unions, we may call it—the smoke used by urban classes who are wage-earners. In smoking, as in other things their scale of life has gone up. I wish they had gone up in other departments than in smoking. We have not totally exempted their smoke. We have put up a tax of ten per cent, and I submit it is very fair and reasonable. A man who purchases a packet of cigarettes for five annas now will perhaps have to pay half anna more. Revenue is no doubt important. But we do not mind and we even welcome regression in revenue if it means a reduction in the per capita consumption of smoking. On this slab we have reduced the rate of tax. If we are asked to drop this slab contained in the Government amendment altogether, we can as well drop the Bill. My anti-capitalist friends suggest that we might drop this slab and increase the tax on superior varieties to 50, 60 or even 100 per cent. But then, there is no money in it. I can make a present of it to the Opposition. The total quantity of superior cigarettes consumed is comparatively not much. We have got a complete list of the varieties of cigarettes and we have examined the whole thing. Unless the hon. Members are unwilling to admit anything in favour of the Government, they could easily admit that the proposal we have made is extremely liberal and reasonable. Then it is only a question of time as to whether the other amendments that have been tabled should be moved first or last. I would beg hon. Members to accede to my request to drop all the other amendments, and let us go on with the Government amendment smoothly."

Sri PILLALAMARRI VENKATESWARLU :—" Sir, I have given notice of an amendment for restricting the sale price to the level prevailing on 1st March 1953. This will be very useful and helpful to the Government. In the Stage Carriages Surcharge Bill, the Government accepted the principle that the tax should not be passed on to the bus passengers. If the Government accept that principle in this Bill at least for the lowest slab, the Opposition, as far as I can see, will not have much difficulty in accepting the Government amendment."

* The Hon. Sri C. RAJAGOPALACHARI :—" I forgot to deal with the suggestion that we might control the consumer's price by some means or other. I do not think that we can control that kind of thing. There is some justification for controlling the consumer's price of essential articles of life and imported luxuries. But to say that we must fix the maximum price at which cigarettes could be sold to customers, in order that cigarette smoking may be encouraged among people of limited means is not consistent with our policy. We have put down two conditions in the amendment which will act as an incentive to keep down the upper limit of the

consumer's price. A person who pays turnover tax will have to pay a higher sum if he allows his retailer to sell at a price higher than what it should be. With the object of indirectly controlling the consumer's price, we have put down two conditions at each slab. Direct control of the price at the consumer's point is not possible now."

SRI P. RAMAMURTHI :—" I do not want to go into all those questions. But I want to speak about the procedure. The Government accept it because it is on the principle of slab system. To a certain extent it meets with our demands. None the less, it does not meet with our full demands. In these conditions, if we feel we have to press our stand, and if the Government feel they have to oppose it, and unfortunately if it does not meet with the acceptance of the House for some reason or other, certainly we are not going to be sorry for it. It is only the lesser of the two evils." 11-20 a.m.

MR. SPEAKER :—" This amendment should have precedence over the other amendments."

SRI P. RAMAMURTHI :—" Will I be allowed to move some amendments to the amendments that are there already?"

MR. SPEAKER :—" This amendment should have precedence over the other amendments."

* THE HON. SRI C. RAJAGOPALACHARI :—" Sir, it is quite true procedurally. The Hon. the Leader of the Opposition will kindly consider what is the object to be gained. If I am not going to be misunderstood, I will be frank. The fact that Opposition Members have given notice of various amendments is well known. The fact that those amendments have acted on the mind of the Government may also be taken for granted. There is nothing more to be gained by moving them and having them negatived."

SRI PILLALAMARRI VENKATESWARLU :—" Sir, but the point is that we have to discuss certain entirely new amendments which the Government have brought forward. We must have some time to go through them. Our suggestion is that the whole Clause may be taken up later."

MR. SPEAKER :—" If the hon. the Leader of the Opposition and the Hon. the Chief Minister agree, I have no objection."

SRI P. RAMAMURTHI :—" I would just make a suggestion whether this Clause could not be considered a little later."

THE HON. SRI C. RAJAGOPALACHARI :—" The Leader of the Opposition suggests that we may proceed with Clauses 5, 6, 7, etc., and that the further consideration of Clause 4 be taken up later."

MR. SPEAKER :—" I have no objection."

The motion that the further consideration of Clause 4 be taken up later was put and carried. Clause 5 was taken up.

Clause 5.

SRI P. RAMAMURTHI :—" Sir, I move the amendment standing in my name, namely—

'After *the words* " *taxed tobacco* " *in line* 3, insert *the words* " *and liable to pay any tax* " *and the words* " *in the case of persons liable to pay any tax* " *be omitted in item* (a).'

Clause 5 says—

' The Deputy Commissioner may cancel or suspend any registration certificate issued to a person dealing in taxed tobacco under this Act (*a*) in the case of persons liable to pay any tax, if any tax or other sum payable by such person be not duly paid or (*b*) if such person fails to maintain true and proper accounts as prescribed, or fails to submit true and proper returns as prescribed or (*c*) if the holder of such certificate is convicted of any offence punishable under this Act or the rules framed thereunder.'

The Government have told us that they have no intention to tax people beyond a certain point. That is, at the very first sale itself, they want to levy the tax on the commodity. Now, the Clause [particularly (*b*)] as it is worded, does not obviously refer to the people who are liable to pay tax, but to all persons. The Clause says that the Deputy Commissioner may cancel or suspend any registration certificate issued to a person dealing in taxed tobacco under this Act. That is any person, and even a pan-shop owner who sells taxed tobacco, if he does not keep proper accounts, will have his licence cancelled by the Deputy Commissioner. That is the effect of the whole Clause. I would suggest that such a procedure should not be there. After all what we want in regard to the ordinary retail dealer—a betel nut shopman—is that his shop should be registered. Beyond that we should not have anything else to do with him. He should not be liable to any penalty."

* THE HON. SRI C. RAJAGOPALACHARI :—" The cancellation of the registration certificate is provided for here. It is issued to a person dealing in taxed tobacco only. The registration certificate issued to a person dealing in non-taxed tobacco is not at all covered by this clause. If a person deals among other things in taxed tobacco also, and if he is himself liable to pay the tax, then only this clause is applicable. This is reasonable, and there is no question about it. In the case of all persons who deal in taxed tobacco, they have to maintain such accounts as the Government have prescribed. I have already explained that those prescribed accounts will not be accounts dealing with their retail trader. Only those accounts which deal with transactions of the first sale that is taxed will have to be maintained. To a certain extent a check on both sides is necessary. In spite of warning there is a provision for cancellation. We must assume that *bona fide* mistakes will not lead to cancellations.

" Clause 5 (*c*) does not refer to 5 (*a*). But it refers to the main provision. I want to extend it to anybody who deals in taxed tobacco. Prescribed accounts will be maintained at the first point of sale. Naturally that will cover this also."

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SRI P. RAMAMURTHI :—" Sir, I do not think I need press the amendment, because the Hon. the Chief Minister has told us that the prescribed accounts are with regard to the purchase and not with regard to sale."

The amendment was, by leave, withdrawn.

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Sir, I move the amendment standing in my name, namely—

' For *the word* " *persons* " *in the fourth line*, substitute *the words* " *a person* ".' "

The amendment was put and carried.

* SRI S. RAMALINGAM :—" Sir, I move the amendment standing in my name, namely—

' After *the word* " *paid* " *in line* 5, insert *the word* " *wilfully* " *and* for *the words* " *convicted of* " *in line* 8, substitute *the words* " *fined for* ".'

Sir, I want the word ' convicted ' to be removed and the word ' fined ' substituted. It is a mere verbal change, and I think the Government will accept."

The amendment was duly seconded.

THE HON. SRI C. RAJAGOPALACHARI :—" Sir, this is not necessary. It does not also read well."

SRI S. RAMALINGAM :—" Sir, I withdraw the first part of my amendment, namely,—

' After *the word* " *paid* " *in line* 5, insert *the word* " *wilfully* ".' "

THE HON. SRI C. RAJAGOPALACHARI :—" Convicted and yet not fined ! I do not think there will be any such cases."

SRI S. RAMALINGAM :—" The word ' convicted ' will easily mean ' fined '."

* THE HON. SRI C. RAJAGOPALACHARI :—" The hon. Member does not probably like the word ' convicted '. I have no objection to accept the amendment."

MR. SPEAKER :—" The question is—

'*For* the words " convicted of " in line 8, *substitute* the words " fined for ".' "

The amendment was put and carried.

SRI S. PAKKIRISAMI PILLAI :—" Sir, I move the amendment standing in my name, namely—

' Add *at the end the following* :—

" *or* (d) *under any provisions of the Industrial Disputes Act.*" '

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If this amendment is accepted, clauses (*c*) and (*d*) will read as follows :—

' if the holder of such certificate is fined for any offence punishable under this Act or the rules framed thereunder, or (d) under any provisions of the Industrial Disputes Act,'

This is only to safeguard the interests of the workers. I know those who are affected are the registered people who have under them several workers. This is an easy solution to resolve all disputes. Therefore, I request that the Government will be pleased to accept this amendment.''

The amendment was duly seconded.

11-30 a.m. * THE HON. SRI C. RAJAGOPALACHARI :—'' The hon. Member Sri Pakkirisami Pillay says that if on account of some industrial dispute a big company is fined, the Government will lose the revenue on the turnover due to non-registration. I think the fine under the Industrial Disputes Act must be adequate enough for the purposes of the hon. Member. Why does he want the cancellation of the registration? I hope he will withdraw his amendment.''

SRI S. PAKKIRISAMI PILLAI :—'' In the case of cancellation of registration under clauses (*a*), (*b*) and (*c*) also, the Government would lose revenue. So, why not my amendment be accepted? ''

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—'' The amendment will only make the enactment more complicated. The Industrial Disputes Act is outside the scope of this legislation. If that amendment is also brought in, it will really complicate matters. So, it is better that the amendment is withdrawn.''

The amendment was, by leave of the House, withdrawn.

SRI K. P. GOPALAN :—'' Sir, I move the following amendment which stands in my name—

' Add *at the end of clause 5 the following proviso* :—

'' *Provided that an order cancelling or suspending a registration certificate shall not be made except after—*

(1) *issuing a notice to the dealer;*

(2) *giving an opportunity to the dealer concerned to make representation on the basis of the notice in* (1) *and further that the order should specify the grounds for cancellation or suspension after a due consideration of the representations in* (2);

Provided also that the disposal of the entire stock of tobacco with a dealer when registration certificate has been cancelled or suspended shall not be deemed to be a violation of the proviso of this Act.'' '

Under clause 5, the Deputy Commissioner may cancel or suspend any registration certificate issued to a person dealing in taxed

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tobacco. My amendment seeks to lay down the procedure to be followed before cancelling or suspending any registration certificate. If a certificate is cancelled, it means the livelihood of the dealer is taken away. Therefore, a certain procedure has to be followed in this matter. My amendment is a simple one and the Government may accept it."

SRI A. GOVINDASAMY NAYAGAR :—" I second the amendment, Sir."

* THE HON. SRI C. RAJAGOPALACHARI :—" If there is need for clause 5, hon. Members will see that there is need for some sanction. If the gentleman who refuses to give accounts or to do the various things referred to in clause 5 is permitted to carry on his business till he exhausts his entire stock, there is no punishment whatsoever. As regards notice and all that, that is inherent in the procedure. No order can be passed without giving an opportunity of explanation to the party concerned. That is now a fundamental right which it is hardly necessary to repeat here."

SRI K. P. GOPALAN :—" It is not a question of fundamental right. When a Bill is brought in like this, the right of the dealer must also be guaranteed in it. It is not a question whether the officer is misusing the power or not. In a Bill like this it must be clearly mentioned what procedure must be followed by the Deputy Commissioner before cancelling or suspending a registration certificate. I am not going to withdraw my amendment."

The amendment was put and lost.

Clause 5, as amended, was put and carried.

Clause 6 was put and carried.

Clause 7.

* SRI S. RAMALINGAM :—" Sir, I move the following amendments which stand in my name :—

'*In sub-clause* (1) *of clause* 7, after *the words* " *doing business in* " add *the word* " *taxed* ".

'*In sub-clause* (1) *of clause* 7, delete *the words* " *and every dealer purchasing . . . agent* ".'

" Sir, the Government have explained that only dealers who are selling tobacco are to be taxed. But in this sub-clause it is stated that every person purchasing tobacco from the wholesale dealer, importer, manufacturer or commission agent, shall maintain accounts. Therefore, I request the Government to remove the dealers who are purchasing tobacco, from the purview of the clause. I hope they will accept my amendment."

SRI A. K. SUBBIAH :—" I second the amendment, Sir."

SRI B. K. NALLASWAMI :—" Sir, I move the following amendment which stands in my name :—

' *In clause* 7, *sub-clause* (1), *in line* 2, before *the word* " *tobacco* " insert the *word* " *taxed* ".'

" கனம் சபா நாயகர் அவர்களே இந்த மசோதாவின் நோக்கம் புதிய வரி போடப்படும்பொழுது அதனால் புகையிலை வியாபாரிகளுக்கு ஒன்றும் அதிகமாகத் தொந்தரவு கொடுக்கும் நோக்கம் இல்லை. ஆனால் இப்பொழுது இருக்கிறபடி இந்த 7வது விதியின் பிரகாரம் அதைத் திருத்தாமல் அப்படியே பாஸ் செய்வோமானால் இதனால் வியாபாரிகளுக்கு வரி செலுத்தும்பொழுது பல தொந்தரவுகள் ஏற்படும். அனாவசியமான பல தொந்தரவுகளுக்கு அவர்கள் உள்ளாக நேரிடும். அங்கே பல சிறிய வியாபாரிகளுக்கு இரண்டு பக்கத்திலும் ஆபீசர்கள் தொந்தரவு கொடுப்பார்கள். ஆகவே இந்த மசோதாவின் ஷரத்தைத் திருத்தியாகவேண்டுமென்று நான் கேட்டுக் கொள்ளுகிறேன். அதற்காகத்தான் இந்த திருத்தத்தை நான் பிரேரேபித்திருக்கிறேன். இந்த திருத்தத்தை ஒப்புக் கொள்ள வேண்டுமென்றும் நான் கேட்டுக் கொள்ளுகிறேன்."

The amendment was duly seconded.

SRI K. VENKAIAH :—" I do not move my amendment. I support the amendments moved by the hon. Member Sri Ramalingam."

11-40 a.m. * THE HON. SRI C. RAJAGOPALACHARI :—" So far as Mr. Nallasami's amendment goes, it really removes an unintended defect and that is accepted. With regard to the other amendments, the point is really one of principle, whether we should ask persons to keep accounts who purchase at the taxing point. It is not only the seller who should keep accounts but also the purchaser at the taxing point. Otherwise there will be no check. Therefore, the other amendments cannot be accepted."

MR. SPEAKER :—" The question is—

' In clause 7, sub-clause (1) in line 2, *before* the word " tobacco " *insert* the word " taxed ".' "

The amendment was put and carried.

SRI S. RAMALINGAM :—" I withdraw my amendments."

The amendments were, by leave of the House, withdrawn.

Sub-clause (3).

SRI K. P. GOPALAN :—" Sir, I move—

' After *the words* " *shall produce his books of account* " insert *the words* " *either in person or through his duly accredited agent* ".' "

The amendment fell through for want of a seconder.

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Sub-clause (4).

SRI K. P. GOPALAN :—" Sir, I move—

' For *the words* " *such other officer as prescribed and give them such other information* " substitute *the words* " *such other officer as prescribed either in person or through his accredited agent and give them or cause to be given them such information* ".' "

The amendment was duly seconded.

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—— Sir, I think the amendment is really unnecessary. As it is, the clause is quite explanatory and I am sure it can be accepted as it is."

The amendment was, by leave of the House, withdrawn.

Sub-clause (5).

* THE HON. SRI S. P. PATTABHI RAMA RAO :—" Sir, I move—

' Add *the following proviso to sub-clause* (5) *of clause* 7 :—

" *Provided that, if the place to be entered or searched is a place used for purposes of residence, the search or entry shall not be made except on the written authority of the Deputy Commissioner or a Tobacco Officer of gazetted rank; and such officer shall, before granting such authority, record his reasons therefor.*" ' ".

MR. SPEAKER :—" The question is—

' *Add* the following proviso to sub-clause (5) of clause 7 :—

" Provided that, if the place to be entered or searched is a place used for purposes of residence, the search or entry shall not be made except on the written authority of the Deputy Commissioner or a Tobacco Officer of gazetted rank; and such officer shall, before granting such authority, record his reasons therefor." ' "

The amendment was put and carried.

* SRI VAVILALA GOPALAKRISHNAIAH :—" Sir, I move—

' Add *the following proviso to sub-clause* (5) :—

" *Provided the dealer refuses to pay the compounded sum.*" '

In respect of motor vehicles we provide for compounding of cases. Now that provision can be introduced here also and that is my intention in moving this amendment."

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" It is wholly unnecessary."

The amendment was put and lost.

MR. SPEAKER :—" I am now going to put clause 7 as amended to the vote of the House."

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* SRI VAVILALA GOPALAKRISHNAIAH :—" I have an amendment to move for the deletion of the clause. If the Government agree to the principle of compounding fee, then I shall not move this amendment."

MR. SPEAKER :—" The hon. Member cannot move a negative amendment. If he wants he may oppose the clause now."

Clause 7 as amended was then put and carried.

Clause 8 was put and carried.

Clause 9.

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Sir, I move—

' *In the first line,* omit *the word* " *the* ".'

The article is unnecessary and somehow the mistake has crept in."

The amendment was put and carried.

Clause 9, as amended, was put and carried.

Clause 10 was put and carried.

Clause 11.

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Sir, I move—

' 1. After *the words* " *any place* " *in line* 3, insert *the words* " *or vehicle* ".

2. Add *the following proviso to clause* 11 :—

" *Provided that, if the place to be entered or searched is a place used for purposes of residence, the search or entry shall not be made except on the written authority of the Deputy Commissioner or a Tobacco Officer of gazetted rank; and such officer shall, before granting such authority, record his reasons therefor.*" ' "

MR. SPEAKER :—" The question is—

' 1. *After* the words " any place " in line 3, *insert* the words " or vehicle ".

2. *Add* the following proviso to clause 11 :—

" Provided that, if the place to be entered or searched is a place used for purposes of residence, the search or entry shall not be made except on the written authority of the Deputy Commissioner or a Tobacco Officer of gazetted rank; and such officer shall, before granting such authority, record his reasons therefor." ' "

The amendments were put and carried.

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SRI PILLALAMARRI VENKATESWARLU :—" Sir, I beg to move my amendment— 11-50 a.m.

' Omit *the words " or a Tobacco Officer specially empowered in this behalf ".*'

" Sir, when a search is to be carried out, let it be done by the Deputy Commissioner instead of by a petty officer who may be empowered to exercise his powers in this behalf."

THE HON. SRI C. RAJAGOPALACHARI :—" The hon. Member knows only smoking but does not know anything about administration. There is only one Deputy Commissioner for the whole State."

SRI PILLALAMARRI VENKATESWARLU :—" Sir, my point is that the authority must be only the Deputy Commissioner and he can authorize other officers to conduct the search. But the powers to order and conduct a search must be with the Deputy Commissioner. About the remark of the Hon. the Chief Minister about knowledge of administration, the affairs of administration will be known to us only when we get into power. That apart, even from the commonsense point of view, instead of leaving it to the Tobacco Officer, it should be retained by the Deputy Commissioner. If the clause is suitably amended, it will be more perfect."

* THE HON. SRI C. RAJAGOPALACHARI :—" We provided for search in dwelling places. We have added vehicles because smuggling takes place in that way mostly. The question is whether we should have Tobacco Officers or Deputy Commissioner. I said there was only one Deputy Commissioner for the State. I am wrong. I find there will be one Deputy Commissioner for every 6 or 7 districts. It will be impossible to work the Act or the clause if the suggestion is accepted. The Tobacco Officer has to be specially empowered and that is there in the Bill. That should be enough."

The amendment was, by leave of the House, withdrawn.

MR. SPEAKER :—" I am now going to put the clause as amended."

* SRI VAVILALA GOPALAKRISHNAIAH :—" I have given notice of an amendment opposing the clause. After hearing the clarification of the clause by the Hon. Minister I think I need not oppose the clause."

Clause 11 as amended was put and carried.

Clause 12.

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Sir, I beg to move—

' After *the words " to the State Government "* insert *the following :—*

" or (e) contravenes any other provision of this Act or of any rule made thereunder." ' "

MR. SPEAKER :—" The question is—

'*After* the words " to the State Government " *insert* the following :—

" or (*e*) contravenes any other provision of this Act or of any rule made thereunder." ' "

The amendment was put and carried.

* SRI S. RAMALINGAM :—" Sir, I beg to move that—

' *For the words* " *on conviction by a . . . a conviction* " substitute *the words* " *be fined by a Magistrate* which *may extend to Rs.* 200 *provided that such fine* ".'

" Sir, the clause reads as follows :—

'. . . on conviction by a Magistrate, be liable to a fine which may extend to Rs. 1,000 : provided that a conviction shall not discharge that person from his liability to pay any tax or other sum recoverable under this Act.'

" My amendment is only consequential to the amendment moved and accepted by the Government earlier. I want the imposition of fine instead of conviction and the fine may be limited to Rs. 200."

MR. SPEAKER :—" This is not a consequential amendment. This is different."

* THE HON. SRI C. RAJAGOPALACHARI :—" Sir, in the other case, in an ordinary reference to the gentleman concerned, the word ' convicted ' was objected to and so ' fine ' was put in. Here we have the Magistrate and the amount has to be fixed by him after conviction. Sir, conviction is necessary before a fine can be proposed."

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Sir, I feel the maximum of Rs. 1,000 is really reasonable for offences of this type and this has been arrived at after a good deal of consideration. Again the amount specified is the maximum. The fine may be Rs. 200 or Rs. 500. Only it should not exceed Rs. 1,000."

SRI S. RAMALINGAM :—" Sir, thousand rupees is really too much. Small dealers such as pan-shop owners will be fined this amount for contravention of the Act. Government should reduce the amount of fine to Rs. 200."

The amendment was, by leave, withdrawn.

Clause 12 as amended was put and carried.

Clause 13 was put and carried.

Clause 14.

Sub-clause (1).

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" I beg to move—

' *In the third line* omit *the word* " *such* ".'

" The clause as amended will read as follows :—

" No officer or servant of the State Government shall be liable in respect of any act in any civil or criminal proceedings . . ." ' "

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MR. SPEAKER :—" The question is—

' In the third line, *omit* the word " such ".' "

The amendment was put and carried.

Sub-clause (2).

* SRI M. NARAYANA KURUP :—" I beg to move—

' After *the words* " *other proceedings* ", insert *the words and figures* " *under sub-section* (1) *of section* 14 ".'

" Sir, my amendment only seeks to bring this section in conformity with sub-section (1). It seems to me that a public officer in order that he may be exonerated from all liabilities must prove that the act was done in the course of business and in good faith. Sub-section (2) seems to be phrased much wider. That is the reason for my amendment."

The amendment was duly seconded.

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" I think I cannot accept this amendment, Sir. It is not necessary."

* SRI M. NARAYANA KURUP :—" If the Government do not want it I am prepared to withdraw it, Sir."

The amendment was, by leave of the House, withdrawn.

SRI K. P. GOPALAN :—" I beg to move—

' After *the words* " *State Government for any act done* " insert *the words* " *in good faith* ".' "

The amendment was duly seconded.

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" It is really unnecessary and I oppose it."

The amendment was, by leave of the House, withdrawn.

MR. SPEAKER :—" I am now going to put to vote clause 14 as amended. The hon. Member Sri Lakshmanaswamy and some others have given notice of amendments for omitting the clause. They are not admissible. But the hon. Members can oppose the clause if they want."

SRI M. LAKSHMANASWAMY :—" అధ్యక్షా, ఈ 14 14 వ క్లాజును omit చేయవలసిందని నేను amendment పంపించాను. ఎందుకనగా ప్రభుత్వము తీసుకువచ్చినటువంటి శాసనములలో ప్రభుత్వోద్యోగులు అక్రమంగా ప్రవర్తించినప్పటికి కూడ dealers గాని పౌరులుగాని వారిమీద ఏలాంటి చర్య తీసుకోడానికి వీలు లేకుండా ప్రభుత్వమునకు permission ఇవ్వాలని ఇందులో ఒక క్లాజు చేర్చడం జరుగుచున్నది. ప్రభుత్వోద్యోగులు న్యాయంగా ప్రవర్తించినట్లు తోచినట్లయితే అటువంటప్పుడు ఆలాంటి prosecutions లో వాళ్ల ఖర్చును ప్రభుత్వమే భరించడం కావచ్చును గాని, అసలు వాళ్లమీద కేసులే పెట్టడానికి వీలులేదంటే పౌరులకు dealers కు చాలా అన్యాయం జరుగుతుందని మనవిచేస్తున్నాను. కనుక ఆలాంటి clause ఉండకూడదు. దాన్ని తీసివేయవలెనని కోరుచున్నాను." 12 noon.

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SRI M. NARAYANASWAMI :—" Sir, under clause **11**, officers are entitled to enter certain business places for checking and clause 14 does not keep them under check. Only when the officers concerned are under check, they can behave properly and discharge their duties satisfactorily. We are very well acquainted with the excise officers who enter the houses and do all sorts of things. Similarly if the officers connected with the enforcement of this Act are not under the check of law, we are afraid they may do all sorts of things. Therefore, in order to see that they discharge their duties properly, I request that this clause may be omitted. Or else, it may tend to make them bureaucrats and it may tend to breed corruption also and therefore it is necessary that they should be kept under some check."

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" I am afraid I cannot accept the arguments advanced by the hon. Members who spoke on the other side. I must say that the officers of the State are really under the control and check of the Government. There is no reason to think that they are not under proper check and I am sure that much of liberty must be given to them to act in good faith so that they may be able to check the evaders and smugglers and for that purpose this clause is absolutely necessary. I may mention that if any officer exceeds his limits, the Government will certainly take steps to punish him suitably. I therefore submit that this clause is absolutely necessary in the interests of good administration."

Then, clause 14 as amended, was put and carried.

MR. SPEAKER :—" We will first take up clauses **15 and 16** and then we can go back to clause **4**."

Clause 15.

* SRI M. NARAYANA KURUP :—" Mr. Speaker, I move the following amendment :—

'Add *at the end the following* :—

" *or since the cause of action arose.*" '

Sir, this is a very necessary amendment if the clause is to serve any useful purpose. The clause as it stands, lays down that any action based on the act complained of must be brought within six
12 noon. months. As we know, with the best of intentions it is very difficult for the Government to receive reports from their subordinate officials and to decide whether permission has to be given or not. It may also be a case of another type. The Government may purposely delay giving permission for six months. Then, what is the remedy if the clause is allowed as it is or in any case if permission is granted after six months or if it is refused after six months? We know, in any suit, civil or criminal, there is what is called 'cause of action' and the refusal of permission will be cause of action to file a suit. I therefore feel that this clause will be a nugatory provision and that my amendment is very essential."

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SRI M. NARAYANA NAMBIAR :—" Sir, I second the amendment moved by my hon. Friend Sri M. Narayana Kurup."

MR. SPEAKER :—" Amendment moved—

Add at the end, the following :—

" or since the cause of action arose." ' "

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Sir, I think, the amendment is really unnecessary."

SRI M. NARAYANA KURUP :—" Sir, I think it is very necessary and I press it."

MR. SPEAKER :—" The question is—

' *Add* at the end the following :—

" or since the cause of action arose." ' "

The amendment was put and lost.

Clause 15 was put and carried.

Clause 16.

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Mr. Speaker, I move the following amendment :—

' *In sub-clause* (2) (l) *for the words* " *to remove* " substitute *the words* " *the removal of* ", *and* for *the words* " *to facilitate* " substitute *the words* " *for facilitating* ".' "

MR. SPEAKER :—" The question is—

' In sub-clause (2) (l) *for* the words " to remove " *substitute* the words " the removal of ", and *for* the words " to facilitate " *substitute* the words " for facilitating ".' "

The amendment was put and carried.

Clause 16, as amended, was put and carried.

SRI P. RAMAMURTHI :—" I would just like the Government to place the rules, whenever they frame them on the table of the House."

Clause 17 was put and carried.

Clause 15 (*re-opened*).

* THE HON. SRI C. RAJAGOPALACHARI :—" Sir, I think there has been a slight mistake. With reference to clause 15 there was an amendment given notice of by Sri P. S. Krishnaswamy Iyengar but not moved by him. I think it is necessary. I therefore request permission of the House to reopen clause 15 and accept the same amendment as Government amendment."

MR. SPEAKER :—" I hope the House gives permission for re-opening the clause (after a pause) with the permission of the House, clause 15 is re-opened."

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Mr. Speaker, I beg to move the following amendment :—

' Add *at the end the following* :—

" *the time taken to secure the sanction referred to in sub-section* (2) *of section* 14, *being excluded in the computation of the six months' period of limitation.*" ' "

MR. SPEAKER :—" The question is—

' *Add* at the end the following :—

" the time taken to secure the sanction referred to in sub-section (2) of section 14, being excluded in the computation of the six months' period of limitation." ' "

The amendment was put and carried.

Clause 15, as amended, was put and carried.

Clause 4.

MR. SPEAKER :—" We will now take up the further consideration of clause 4. I would like to tell the House that if the Government amendment is accepted, the amendments given notice of by hon. Members Mr. Vavilala Gopalakrishnayya and others to sub-clause (3) of clause 4 will be out of order."

SRI K. GOVINDA RAO :—" Then, why not take up our amendments first, Sir."

MR. SPEAKER :—" It is not the correct procedure."

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Sir, I already moved the following amendment :—

' For *sub-clause* (3), substitute *the following* :—

" (3) (*a*) (1) *No tax shall be levied on sales of cigarettes which are sold by the person taxed at less than* 3 *pies per cigarette and are to be sold at the retail point to the consumer at not more than* 3 *pies per cigarette.*

(2) *On sales of cigarettes not falling under sub-clause* (1) *above, the rates of tax shall be as follows* :—

	Per cent of the turnover.
(i) *On cigarettes which are sold by the persons taxed at less than* 6 *pies per cigarette and are to be sold at the retail point to the consumer at not more than* 6 *pies per cigarette*	10
(ii) *On cigarettes which are sold by the person taxed at less than* 9 *pies per cigarette, and are to be sold at the retail point to the consumer at not more than* 9 *pies per cigarette* ...	20
(iii) *On sales of cigarettes not falling under items* (*i*) *or* (*ii*) *above*	30

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(b) The rate of the tax payable under sub-section (1) on cigars and cheroots shall be 30 per cent of the turnover :

Provided that the turnover shall not include the sale amount of cigars and cheroots which are sold by the person taxed at less than two annas per cigar or cheroot and which are to be sold at the retail point to the consumer at not more than two annas per cigar or cheroot;

(c) The rate of the tax payable under sub-section (1) on pipe tobacco or cigarette tobacco shall be 30 per cent of the turnover." ' "

MR. SPEAKER :—" I shall put the amendment to the vote of the House. The question is—

' *For* sub-clause (3), *substitute* the following :—

" (3) (*a*) (1) No tax shall be levied on sales of cigarettes which are sold by the person taxed at less than 3 pies per cigarette and are to be sold at the retail point to the consumer at not more than 3 pies per cigarette.

(2) On sales of cigarettes not falling under sub-clause (1) above, the rates of tax shall be as follows :—

	Per cent of the turnover.
(i) On cigarettes which are sold by the persons taxed at less than 6 pies per cigarette and are to be sold at the retail point to the consumer at not more than 6 pies per cigarette	10
(ii) On cigarettes which are sold by the person taxed at less than 9 pies per cigarette, and are to be sold at the retail point to the consumer at not more than 9 pies per cigarette	20
(iii) On sales of cigarettes not falling under item (i) or (ii) above	30

(*b*) The rate of the tax payable under sub-section (1) on cigars and cheroots shall be 30 per cent of the turnover :

Provided that the turnover shall not include the sale amount of cigars and cheroots which are sold by the person taxed at less than two annas per cigar or cheroot and which are to be sold at the retail point to the consumer at not more than two annas per cigar or cheroot;

(*c*) The rate of the tax payable under sub-section (1) on pipe tobacoo or cigarette tobacco shall be 30 per cent of the turnover." ' "

The amendment was put and carried.

Clause 4, as amended, was put and carried.

Clause 1 and the Preamble were put and carried.

12-10 p.m. * THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Sir, I beg to move—

'*That the Bill as amended be passed into law.*'

" I must thank the hon. Members on the Opposition for the extremely generous attitude they had exhibited during the present discussion of this Bill and for the support they had given us. If at all the present Bill is just going to be passed into law it is due to the co-operation we have received from all the members of the House and I thank every one of them heartily. This Bill as all hon. Members may be well aware gives us a good source of revenue we had not till now tapped. It is because the Government of India took the power to levy excise duty on tobacco and deprived us of levying any tax on the same, we could not proceed with any measure of taxation of tobacco dealers in the State of Madras. But now the Government of India have withdrawn the subsidy they have been giving to us as compensation and allowed us to impose sales tax on the sale of tobacco in our State. The revenue that we are going to derive from this measure of taxation will be very useful for us to spend for the benefit of the State. I once again thank the hon. Members for their general and generous support to the Bill. I now request all hon. Members to support the motion that the Bill be passed into law."

MR. SPEAKER :—" Motion moved—

' That the Bill as amended be passed into law.' "

SRI T. NAGI REDDI :—" Mr. Speaker, Sir, I never expected that we would first of all have a taxation measure before us for taxing tobacco dealers. Nor did I expect when the same Bill was formally introduced that we would be passing the same so quickly and that too in *two* days! All the same I would like to mention a word or two about the manner in which the present Bill had been presented to us. That was the complaint I made yesterday. I make it to-day also. Whenever a taxation measure is introduced, hon. Members of the House should be told in clear terms how much revenue the Government expect to get from such a taxation measure. Take for instance this Bill. Hon. Members of the House should know clearly on looking at the Bill how much money the Government would get by taxing the wholesale dealers of tobacco in our State. Then only we would be in a better position to judge the merits and de-merits of the Bill. Vague definitions do not serve any useful purpose. My only suggestion to the Government would be that whenever in future they introduce any taxation measure they should side by side give also a clear picture to the hon. Members of the House as to the exact revenue that would be derived from such taxation.

" Let me also impress on the Government another important point. As hon. Members are well aware we are now at the fag end of the session. Hon. Members have passed through a very strenuous session. Some of us are even feeling the absence from

home for a considerably long time and are anxious to be back. When such is the situation and when hon. Members are fatigued and require rest, it is needless to say that it is not at all justifiable to bring in a taxation measure at the fag end of the session. Whenever a taxation measure is introduced it is absolutely necessary that all members of the House should watch the proceedings with rapt attention. Then only they would be able to contribute their mite to the discussion. They could offer salient criticisms only then. Surely such a thing could never be expected at the fag end of a Budget session when already some members have left and some are anxious to leave. What is it that we find now? Hardly a few members are adorning the chairs. With what object? It is because their presence may be required if at all a division is to take place. So I would request hon. Members of this House to bear this in mind and I may request Hon. Ministers, also that if at all they introduce any taxation measure in future, let them do so at the beginning of a session when Members' minds would be fresh and when they would be in a position to assimilate and digest the elaborate provisions of the taxation measure."

SRI PILLALAMARRI VENKATESWARLU :—" Sir, I would like to know why the Government have brought in the most controversial subject at the fag end of the session."

* THE HON. SRI C. RAJAGOPALACHARI :—" I must correct a mistake, Sir. We have not brought anything controversial at the fag end. This is a Budget session and after the Budget discussions had come to a close we have the present taxation measure. At the very beginning of the session itself hon. Members had been told that the said taxation measure would be introduced after the Budget. From the very beginning we had been discussing important subjects."

SRI PILLALAMARRI VENKATESWARLU :—" Why introduce it at the fag end of the session?"

THE HON. SRI C. SUBRAMANIAM :—" We cannot introduce it at the middle of the Budget discussion."

SRI PILLALAMARRI VENKATESWARLU :—" Mr. Speaker, Sir, as I had already observed we are a bit sorry that this measure of taxation had been introduced when hon. Members are tired after a strenuous Budget session. But in spite of that fact we on this side of the House had adopted a very reasonable attitude. If at all the Bill is going to be passed into law just now, let it be remembered that it is because of the reasonable attitude of the Opposition. It is our earnest wish to see that the middle classes and the poorer sections of our people are not affected by this tax. That is why we had pleaded for the taxing of the rich wholesale dealers. It is our earnest wish that the poor N.G.Os. and other poor people who smoke should not be unduly burdened by raising the price of the kind of cigarettes or beedies they smoke. I am glad the Government had also been quite reasonable in exempting the beedi and other inferior quality cigarette manufacturers from

the purview of this Bill. Government should try to tax the rich and not the poor. I am glad Government had been wise in that direction. They had exempted beedi manufacturers and manufacturers of inferior cigarettes from the purview of this Act. The poor smoker had been spared. I am glad about it.

" With these words I give my support to the Bill, Sir."

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Sir, at the outset let me refute the allegation that we had brought this taxation measure at the fag end of the session and that too with insufficient notice to the Members. Hon. Members may perhaps be well aware of the fact that the Hon. Finance Minister had even at the outset while presenting the Budget indicated that this measure of taxation was the only one that the Government proposed to bring forward during this session. That had been clearly indicated in the Budget speech of the Hon. Finance Minister. Another thing also should be noted. We had actually published the Bill on Sunday morning. Actually we had circulated to the hon. Members of the House copies of the same immediately. Let it not be said that we are introducing the same at the fag end of the session. Just now we had passed through the Budget. And then we had very important legislative work to face immediately after the Budget. Measures of far-reaching importance like the non-extension of the life of district boards, the Malabar Tenancy Bill and the like had to be passed. Those could not be delayed because those are also measures of great concern to the common man. Immediately afterwards we have now introduced the present taxation Bill. Let it also be remembered that this is the only taxation measure the Government are bringing before the House. Surely when such is the case we cannot be accused of bringing in purposely at the fag end of a session a taxation measure.

12-20 p.m. " As a matter of fact, if there is more delay in passing this Bill into law, as I explained yesterday, the difficulties experienced by the poorer sections of the people in getting their smoking needs will be increased and the middlemen will be making huge profits, and I think about Rs. 20,000 to Rs. 30,000 per day will be lost and that will be taken away by the middlemen."

MR. SPEAKER :—" The Leader of the Opposition wants to say something."

SRI P. RAMAMURTHI :—" Sir, all that I want to say is that the amendment that has now been brought forward by the Government could not have been moved but for the fact that the detailed consideration of the Bill was taken up to-day. Government had sufficient time to hear the views of the Opposition at the general discussion and instead of that if they had persisted that the detailed consideration of the Bill also should have been taken up yesterday, then we would not have been able to achieve the result that we have achieved to-day. Therefore, I suggest that in regard to all these things, it is very necessary to give as much time as possible for proper consideration."

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* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" So, Sir, in the circumstances I have stated already, we had to go through the Bill as we have done.

" Sir, I may not be complete in my task if I do not express a word of gratitude on this occasion to the Leader of the Opposition. He has been very considerate throughout and he has done his very best, along with other hon. Members of the House, so that we were able to get through this Bill without much difficulty and I thank every one in this House for his kind co-operation. I am sure the benefits that we bestow through this Bill on the public will be realized ere long.

" I now request the House to pass the Bill."

* THE HON. SRI C. SUBRAMANIAM :—" Sir, I rise only to echo the feeling that was expressed by my Colleague at the end of his speech that there was very good co-operation from the Leader of the Opposition and also from the members belonging to the Opposition. If this spirit of co-operation continues I am sure we will be able to get through all work expeditiously and if we are able to get through work expeditiously, it will be in the interests of the State as a whole. I do agree with the Leader of the Opposition when he says that there was not sufficient time for them to study the Bill. But, I am sure he appreciates the difficulties of the Government also, because we had first to frame the Bill, then finalise it and then go through it again to see that the wording has been properly and correctly put in. That is why we could not give longer notice of this Bill. In regard to taxation Bills, sometimes it is rather difficult and it is dangerous to give longer notice. In such circumstances, I am sure the hon. Leader of the Opposition and other Opposition members will appreciate the difficulty in this matter.

" I must also thank all the hon. Members of the House for their kind co-operation in this matter and with their co-operation we have been able to get through this Bill and the other Bills also expeditiously.

" I may inform hon. Members that we will be meeting in the afternoon at 3 o'clock to-day for a few hours, before we disperse. As soon as this Bill is passed, I request the Speaker to adjourn the House so that we may meet again at 3 o'clock."

MR. SPEAKER :—" I shall now put the motion to the vote of the House. The question is—

' That the Madras Tobacco (Taxation of Sales and Registration) Bill, 1953, as amended be passed into law.' "

The motion was carried and the Bill was passed into law.

MR. SPEAKER :—" The House will now rise and meet again at 3 o'clock."

(After lunch—3 p.m.)

V.—GOVERNMENT MOTIONS.

(1) THE KRISHNA ANICUT ENQUIRY COMMITTEE REPORT.

SRI K. VINAYAKAM :—" Sir, there seems to be no quorum."

MR. SPEAKER :—" There is quorum."

* THE HON. SRI N. RANGA REDDI :—" Mr. Speaker, Sir, I move—

'*That the Krishna Anicut Enquiry Committee Report be taken into consideration.*'

I would like to say only a few words. The Members of this House are aware that after the damage to the Krishna anicut, a committee was appointed to go into the causes for the occurrence of the damage and the committee submitted its report. A copy of this report has been supplied to the Members of this House and I do not think it necessary for me to go through the various details furnished in that report. The committee made certain recommendations. Some of them are short-term remedies and some long-term remedies. So far as immediate repairs are concerned, they have all been executed and the crops have not suffered on account of the damage to the anicut. The long-term remedy proposed by the committee is the construction of a road-cum-regulator bridge. That has been examined and an estimate has been prepared both by the Chief Engineer for Highways and the Chief Engineer for Irrigation. The estimated cost is about Rs. 236 lakhs. The Government sanctioned the estimate and sent it to the Centre for their consent. Any irrigation work which costs more than one crore of rupees under the present circumstances will have to get the consent of the Centre for being taken up by the State Government. There is also another reason. The bridge that is sought to be constructed is over a national highway. The whole cost will have to be borne by the Centre, the bridge being over a national highway. For these two reasons, the scheme has been sent to the Centre. Members are also aware that a token provision has been made in the Budget for 1953–54. As soon as the consent of the Centre is received, the work can be taken up."

MR. SPEAKER :—" Motion moved—

'That the Krishna Anicut Enquiry Committee Report be taken into consideration.'

" Hon. Members who have given notice of amendments will move the amendments."

* SRI VAVILALA GOPALAKRISHNAIAH :—" Sir, I move—

'Add the following at the end :—

" *and on such consideration the House is of opinion that the Chief Engineer, Sri Venkatachari, was responsible for the events of May 1952, and was guilty of negligence.*

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It also recommends to the State Government to undertake the construction of the road regulator bridge immediately." ' "

The amendment was duly seconded.

Sri M. LAKSHMANASWAMY :—" Sir, I want to know from the Hon. Minister on what date the estimates were received from the Chief Engineer and on what date this Government sent the proposal to the Central Government."

Mr. SPEAKER :—" Let the hon. Member first move the amendment. Then he can ask for whatever information he wants."

Sri M. LAKSHMANASWAMY :—" I move—

' Add *the following at the end* :—

" *and on such consideration the House regrets to note*—

(i) *the failure of the Government to take necessary steps to begin the road-bridge-cum-regulator work by March* 15, 1953 ;

(ii) *the failure of the Government to ensure regular water-supply to Krishna delta ryots in the year* 1952–53 ;

(iii) *the failure of the Enquiry Committee to take note of the Krishna Collector's report at the time of damage* ;

(iv) *the failure of the Government to take note of the inspection reports of the Chief Engineer after the damage in May* 1952." ' "

The amendment was duly seconded.

Sri C. V. K. RAO :—" Sir, I move—

' *Add the following at the end* :—

" *and on such consideration, this House is of opinion that the Government has erred in appointing Sri Venkatachari as a member of the Committee, who should have been a witness before the Committee to answer the question of neglect and defect in the operation and maintenance of the anicut.*" ' "

The amendment was duly seconded.

Mr. SPEAKER :—" The motion as well as the amendments are now before the House for discussion."

Sri C. V. K. RAO :—" On a point of information, Sir. I would like to know whether we will get a chance to explain our amendments."

Mr. SPEAKER :—" Certainly. As soon as Mr. Rajagopala Rao finishes his speech, I shall give a chance."

Sri K. RAJAGOPALA RAO :—" Sir, కృష్ణా ఆనకట్ట విచారణ కమిటీ రిపోర్టుమీద చర్చ రావాలని కోరటానికి . . . "

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MR. SPEAKER :—" అధ్యక్షా అని చెప్పలేదండీ."

SRI K. RAJAGOPALA RAO :—" Sir అని మొదటనే చెప్పానండీ."

SRI T. NAGI REDDI :—" వారు మొదట యింగ్లీషులో Sir అని చెప్పి, తర్వాత తెలుగులో మాట్లాడటానికి ప్రారంభం చేశారండీ."

SRI K. RAJAGOPALA RAO :—" అనకట్ట విచారణ కమిటీ రిపోర్టును ఈవేళ చర్చించడానికి కొన్ని ముఖ్యమైన కారణాలు ఉన్నవి. ఈ అనకట్టకు కలిగిన ప్రమాదం విషయంలో P.W.D. శాఖలో కలిగినటువంటివి అనే ప్రధానమైన లోపాలు బయటపడ్డాయి. నాటిని సరిదిద్దుకోటానికి ప్రభుత్వం అవలంభిస్తున్న విధానాలు తెలిసికోటానికి, అందులో వున్నటువంటి తప్పులు సరిదిద్దుకోటానికి, తగిన సలహాలు యివ్వటానికి చర్చ అవసరమని భావించాము. అలాగే ఈ అనకట్టకు ప్రమాదం జరిగినపుడు యిక్కడ అనుమానాలకు హేతువైనటువంటి ప్రభుత్వం ప్రధానంగా అవలంభించినట్టి విధానము గమనించవలసియున్నది. ఆ విధానాలవల్ల కలిగినటువంటి లోపాలు అన్నింటిని బయటపెట్టాలనే అభిప్రాయపడుతున్నాము. కమిటీ చేసిన సూచనలమీద సింహావలోకనం చేసి ప్రభుత్వ అభిప్రాయాన్ని పొందటానికి కూడ చర్చ కావాలని కోరాము. ఈ ముఖ్యోద్దేశ్యము దృష్టిలో పెట్టుకొని, చర్చ కావాలని కోరినప్పుడు ప్రభుత్వము అంగీకరించినా, అంగీకరించకపోయినా చాలా కాలయాపన జరిగింది. ఈనాటికైనా యిక్కడ అవకాశము కలిగించినందుకు సంతోషమే. మన రాష్ట్రంలో వున్నటువంటి మేజరు ప్రాజక్టులలో ఈ కృష్ణా అనకట్ట అనేది ఒకటి. ' It is a paying project also.' గవర్నమెంటు ఎస్టిమేట్ల ప్రకారమే 16.6 లక్షల రూపాయలు కృష్ణా అనకట్టమీద ఖర్చుపెట్టినట్లు మనకు కనబడుతున్నది. ఈ సంగతి సభవారికి ఎందుకు తెలియజేస్తున్నానంటే యింత లాభసాటిగా వున్నటువంటి ఈ ప్రాజెక్టు విషయంలో ప్రభుత్వం అవలంభించిన విధానంవల్ల మన రాష్ట్రంలో ఆంధ్ర ప్రజలకు కలిగిన నష్టము ప్రభుత్వం ఎంత అశ్రద్ధ, నిర్లక్ష్యం చేసిందిన్ని నేను point out చేసేదానికి పూనుకొని చెబుతున్నాను. సర్వకాలం పాలు యిచ్చేటటువంటి పాడి ఆవును భద్రపరచుకొని తగు జాగ్రత్తతో కాపాడుకోవాలని లోకులు అంతా సామాన్యంగా తెలుసుకోవలసిన విషయం. ఈనాడు మన రాష్ట్రాన్ని కంతటికిని పాలిచ్చి కాపాడేటటువంటి ఈ కృష్ణా అనకట్ట అనే పాడి ఆవుకు ప్రమాదం జరుగుతూవున్నదంటే ఈ ప్రభుత్వము యొక్క అశ్రద్ధ, నిర్లక్ష్య భావమువల్లనే కలిగిందని ప్రజలందరూ అంటున్నారు. ప్రభుత్వం ఈ విషయంలో ఎంత నిర్లక్ష్యం చూపించిందో సభ్యులందరు గుర్తించాలి. యిదంతా చూస్తే ఆంధ్ర ప్రజలపట్ల ప్రభుత్వం సవతి తల్లి ప్రేమ చూపుచున్నట్లు రుజువు అవుతున్నది.

"అంతేగాదు. ఈ కృష్ణా అనకట్ట ప్రమాదం విషయంలో చర్చ సాగినప్పుడు
3-10 p.m. మరొక విషయాన్ని సభవారి దృష్టికి తీసికొని రావలసియున్నది. అనకట్ట విచారణ కమిటీ రిపోర్టు ప్రజలు చూచినప్పుడు P.W.D. మంత్రిగా వున్నటువంటి శ్రీ రంగారెడ్డి గారు యిచ్చిన జవాబుగాని, ప్రభుత్వం చూపించిన వైఖరిగాని చూస్తే అనకట్ట పరిస్థితిని చాలా superfioial గా వారు పరిశీలించారేగాని, అందులో వున్న లోతుపాతులను అవగాహన చేసుకోవడానికి దాని అభిప్రాయాలను అర్థంచేసుకోటానికి అనకట్టను మరింత భద్రంగా నిర్వహించడానికి తగుచర్యలు ప్రభుత్వం తీసుకోలేదు. అందుచేత చర్చ సమయంలో ఆ విషయాలన్ని ప్రభుత్వ దృష్టికి మరల తీసికొని రావలసిన

అవసరం వున్నది. అయితే ఈ రిపోర్టును మనము చూచినతర్వాత మనకు కనబడుతున్నవి, కొన్ని ముఖ్యమైన విషయాలున్నవి. ఆనకట్ట విషయంలో యిన్నాళ్లుగా ప్రభుత్వం చూపిస్తున్నటువంటి నిర్లక్ష్యం, P.W.D. శాఖవారు అవలంభిస్తున్నటువంటి విధానము చాలా defective గానూ, నష్టకరంగానూ వున్నదని సభవారికి చూపదలచుకొన్నాను. ఈ P.W.D. శాఖను పూర్తిగా overhaul చేసి ఈ ఆనకట్టను భద్రము చేయకపోతే మన రాష్ట్రంలో నీటి వనరులు కుంపిణీ చేయుటకుగాను వసతులను భద్రంగా కాపాడటానికిగాను, ఏలాటి అవకాశము లేకుండాపోతుందని ప్రభుత్వానికి మనవి చేయ దలచాను. అవి ఆ విధంగా చేయక ఈ విచారణ కమిటీని నియమించటంలోనూ, నియమించిన కమిటీ చేసిన సూచనలను పాటించడంలోనూ ప్రభుత్వం అవలంభించిన విధానం చాల లోపభూయిష్టంగా వుందని చెప్పక తప్పదు. విచారణ కమిటీని నియమించటంలోనూ సదరు కమిటీలోకి సభ్యులను ఎన్నుకోవడంలోనూ ప్రభుత్వం అవలంభించిన విధానం సరియైనది కాదనిన్నీ, అనుమానాస్పదమైనదనిన్నీ ప్రజలలో చాలా అనుమానాలకు దోహదమిచ్చిందని గుర్తు చేయ దలచుకున్నాను. ఎందుకంటే కమిటీకి సభ్యులను ఎన్నుకొనేటప్పుడే ప్రభుత్వం పప్పులో కాలేసింది. ప్రజలకు అనుమానాలు వుండటం మంచిదే. రాజకీయ ప్రాజెక్టులను supervise చేస్తూ అన్ని విషయాలను అజమాయిషి చేస్తున్నటువంటిది అంతాగూడా Chief Engineer వెంకటాచారిగారే. వీరి అశ్రద్ధవల్లనే ఆ ఆనకట్టకు ప్రమాదం సంభవించిందని ప్రజలు అనుమానపడుతున్నప్పుడు విచారణ కమిటీలో ఈ వెంకటాచారిగార్ని వుంచడం అనేది సరి అయిందిగాదు. వీరు సహజంగా, వారి తప్పిదమునంతా ఈ రిపోర్టువల్ల బయటికి రాకుండా కప్పిపుచ్చి వుంటారని ప్రజలందరు అనుమానపడ్డారు. అంతేగాదు, మరొక ముఖ్యమైన విషయం గమనించాలి. గవర్నరు ఉపన్యాసంలో ఈ ఆనకట్ట రిపోర్టు విషయం ముందుగా మనకు చెప్పబడివున్నది. అదృష్టవశాత్తో, దురదృష్టవశాత్తో, మంచికో, చెడుగుకో, ఎందుకైనాగాని, యిప్పటి ఒక సంవత్సరంనుంచి మన రాష్ట్రంలో ఈ ప్రభుత్వంమీద, పరస్పర అనుమానాలు చాల హెచ్చుగా వచ్చినవి. ఎలాగోకాని కొందరు తమిళుల మీద, ఆంధ్రులు అలా అనుమానాలు సాగించవలసివచ్చింది. వాస్తవిక పరిస్థితులను గమనించకుండా, reality ని దృష్టిలో పెట్టుకోకుండా, ఏ ప్రాంతములో ఏ ప్రమాదం కలిగిందో, ఆ ప్రాంతంలోని ప్రజలయొక్క విశ్వాసమును ప్రభుత్వం సంపాదించుకోటానికైనా, ప్రభుత్వం ఈ కమిటీలో Chief Engineer వెంకటాచారిగారినిగూడ వేసినందువల్ల ఆ సభ్యులమీద ప్రజల అనుమానాలకు దారితీసిందని చెబుతున్నాను. కాబట్టి ప్రాథమిక సూత్రాలను గమనించకుండా, ఆ కమిటీలో ప్రధాన కార్యదర్శిగా శ్రీ వెంకటాచారిగారిని వేయటమనేది ప్రజల విశ్వాసాన్ని ప్రభుత్వం చూరగొన లేకపోయిందని అంటున్నాను. ప్రజలందరి అభిప్రాయానికి విరుద్ధంగా వాస్తవిక పరిస్థితులనుబట్టి, ప్రజల దృక్పథాన్ని గమనించకుండా. ఈ కమిటీలో వీరిని సభ్యులుగా వేయడం ప్రభుత్వం avoid చేసియున్నట్లయితే బాగుండేది. విచారణల ధోరణిగూడా వేరుగా మారియుండేది అందువల్ల నిజస్థితి బయటపడకుండా ఈ కమిటీ సభ్యులు రిపోర్టు పంపడమనేది శోచనీయం. ఏమైనను ప్రభుత్వం ఒక కమిటీనీ వేశారు కమిటీని represent చేసేటప్పుడు, సభ్యులు తమయొక్క బాధ్యతలు, విధులు, సక్రమంగా, గుర్తించి, వ్యవహరించినట్లయితే బాగావుండేది. కాని అట్లు జరుగలేదు. కమిటీలో సభ్యులుగా వుండేటట్లు ఆ ప్రాంతపు పెద్ద మనుష్యులను యింకను యిద్దరిని, వేయటానికి ప్రభుత్వం పూనుకోలేదు. నేనుగూడా ఒక రూపేణ ఈ కమిటి సభ్యులను ముందుగా చూచివచ్చాను. ఎందుకంటే విచారణ సందర్భంలో కమిటీలోవున్న

యిద్దరు పెద్ద మనుష్యుల ముందుకు సాక్ష్యం యివ్వటానికి కొంతమంది ఆ ప్రాంతపు పెద్ద మనుష్యులు వచ్చివున్నారు. కమిటీ అవలంభించిన వైఖరి విచారణకు సంబంధించిన చర్చలలో వారు చూపించిన ధోరణి అంతా చూస్తే చాలా అవమానకరంగాను, గర్హనీయంగాను, వున్నదనిగూడా చెప్పవలసియున్నది. ఉదాహరణంగా ఒక విషయం చెబుతున్నాను. అందులోని యిద్దరు పెద్ద మనుష్యులు, Chief Engineer అయిన వెంకటాచారిగారు, Sri Raghavan గారు వారిద్దరి ధోరణిచూస్తే విచారణ సక్రమంగా జరుపలేదు. ప్రజల తరఫున, public సంస్థల తరఫున సాక్ష్యమివ్వడానికి వచ్చిన పెద్ద మనుష్యులను, వారు సరియైన దృక్పథంతో విచారణచేసి సాక్ష్యం తీసుకోకుండా మరియొక త్రోవన cross-examination చేయడం జరిగింది. కమిటీ సభ్యులైనవారు, సుహృద్భావంతోను, సహకారభావంతోను మనస్ఫూర్తిగా విచారణచేసి వున్నట్లయితే బాగుండేది. కాని అట్లు జరుగలేదు. ఉదాహరణ చెబుతున్నాను. ఆనకట్ట పాతబడిపోయింది. తగు జాగ్రత్త తీసుకొని వెంటనే మరమత్తు చేయాలని, సాక్ష్యానికి వచ్చిన పెద్ద మనుష్యులు చెప్పగా ఆనకట్టను పడకొట్టి, క్రొత్తగా కట్టియాంటారా అని పేలవంగా కమిటీ సభ్యులడిగారు. అలాగే Chief Engineer గారు తగు శ్రద్ధ తీసుకోలేదు. వారు శ్రద్ధవహించి ఈ విషయంలో జాగ్రత్తపడి వున్నట్లయితే ఈ ప్రమాదం జరిగివుండేది గాదు. వారు మద్రాసులో ఎక్కడో కూర్చొని ఈ ఆనకట్ట విషయంలో పూర్తిగా అశ్రద్ధవహించినందున ఈ ప్రమాదం జరిగిందని వారు చెప్పగా, నా office మద్రాసునుంచి మార్చి, బెజవాడలో పెట్టుకోమంటారా అని Chief Engineer వెంకటాచారిగారు చులకనగా సమాధానం యిచ్చారు. విచారణాంశాలుగూడా రికార్డు చేయుటకు యీ కమిటీ సభ్యులు జాగ్రత్తవహించలేదు. కమిటీ విచారణకుగాను సరియైన సాక్ష్యం సేకరించి జయప్రదముగా యీ విచారణ పూర్తిచేయుటానికి ప్రభుత్వం యీ కమిటీని నియమించుచూ పూర్తి అధికారం ప్రభుత్వం యిచ్చిందా అని ప్రశ్నిస్తున్నాను. కమిటీ సభ్యులను నియమించడంలో గాని, విచారణ జరపడంలోగాని అనేక లోపాలు జరిగినవి.

"మరొక విషయం. ఈ కమిటీకి యిచ్చినటువంటి terms of reference లో ప్రభుత్వం కొన్ని లోపాలుచేసింది. విచారణ ఏవిధంగా జరగాలి? సాక్ష్యం సేకరించడంలో ఏ ఏ విషయాలు బైటకు తేవాలి? ఆనకట్టకు కలిగిన నష్టం ఏమిటి? ఈ నష్టం పూడ్చటానికి, తిరిగి ఆనకట్టకు శాశ్వత మరమ్మతు చేయటానికి తగిన చర్యలు ఏమి? అనే విషయాలు విచారించినట్లయితే మంచిదేగాని, అటువంటి విషయాలు ఆమూలాగ్రంగా చర్చలోకి రానేలేదు. అయితే యీ కమిటీ విచారణ ఆనకట్ట బాగు పరచటానికి ఏమి చర్యలు తీసుకోవాలి అనే విషయాలు terms of reference లో ఒక అంశముగా లేకపోవడమనేది ప్రభుత్వానికి గుర్తుచేస్తున్నాను. ఎందుకంటే అనేకమంది పెద్ద మనుష్యులు సాక్ష్యం యివ్వటానికి వెళ్లగా, వారు చెప్పేటటువంటి మాటలను రికార్డుచేయ సభ్యులు నిరాకరించారు. ఎందుకు రికార్డు చేయరని ఆ పెద్ద మనుష్యులు అడగగా ఆ విషయాలు మా విచారణలోని భాగముకాదని సభ్యులు సమాధానం చెప్పారంటే ప్రభుత్వం విచారణాంశాలు పూర్తిగా నిర్ణయించలేదని నిర్ధారణగుచున్నది. అందువలన కమిటీ విచారణలో ప్రజలు యివ్వదలచినటువంటి విషయాలు సాకల్యంగా ఆ కమిటీ రిపోర్టులో ఉదహరించటానికి వీలు లేకుండా పోయింది. పెద్ద మనుష్యులు చెప్పే విషయాలు అయిననూ రిపోర్టుచేయక నిరాకరించారు. ప్రజలయొక్క కష్టసుఖాలు కనిపెట్టేటందుకు వేసిన విచారణ కమిటేనా ఇది అని ప్రభుత్వాన్ని ప్రశ్నిస్తున్నాను. కాక ఏదో ప్రజల కళ్లనీళ్లు తుడవటానికి, Chief Engineer గారిని తప్పిదమునుండి తప్పించటానికి వేసిన కమిటీగా ఉందని

8th April 1953] [Sri K. Rajagopala Rao]

అనుకోవలసివచ్చింది. ఈ విషయాలు అన్నియు పత్రికలద్వారా ప్రజలు ఆందోళనలు చేశారంటే యీ ఆందోళనకైనను తల బగ్గి తమ రిపోర్టులోనైనా ఆ విషయాలు గురించి ఏమైనా సందర్భాలు వ్రాశారంటె, అవేవియు రిపోర్టులో కనబడలేదు ఈ విధంగా అతృప్తికరమైన విచారణ జరపటానికి ప్రభుత్వం యిటువంటి కమిటీని ఎందుకు వేయవలసి వచ్చింది? వాస్తవిక పరిస్థితులను ప్రభుత్వానికి తెలుపుకోటానికి సావకాశం లేకుండా పోయిన యీ కమిటీ విచారణ ప్రజలు కోరరని ప్రభుత్వం గుర్తించాలి. ప్రభుత్వం కమిటీ విచారణాంశాలు definite గాను, పూర్తిగాను నిర్ణయించి వున్నట్లయితే, విషయాలు అన్నియు సాకల్యంగా ప్రభుత్వ దృష్టికి గోచరమయ్యేవి. ప్రభుత్వం ఈ విషయంలో Chief Engieer గారి తప్పు కప్పిపుచ్చటానికి వేసిన కమిటీ అనిః నిర్ధారణ అగుచున్నది.

"ఇక పోతే, ఈ రిపోర్టులో యిచ్చియున్నటువంటి వివరాలు ప్రభుత్వం పూర్తిగా పరిశీలించవలసియున్నది. కమిటీ రిపోర్టులో ఉన్నటువంటి వివరాలు సమగ్రమైన వేనా అని ప్రభుత్వం విచారించవలసిన అవసరమున్నది. ఈ కమిటీ వచ్చి ఎంతవరకు పని చేసింది? ఈ విచారణవల్ల ప్రజలకేమైనా ఉపకారము జరిగిందా? అనే విషయాలు ప్రభుత్వ దృష్టిలో ఉన్నట్లు కనబడదు. ఈ విషయంలో ప్రభుత్వం తీవ్రమైన కృషిచేయలేదు. పోనీ, ప్రభుత్వముయొక్క Chief Engineer అయినా విచారణ చేశారంటే, అదిగూడా చేయలేదు. ఈ అనకట్టకు యింత ప్రమాదం యిదివరకెన్నడు జరగలేదు. ఇక ముందైనా ఈ మాదిరి ప్రమాదం రాకుండా చేయటానికి ఈ కమిటీవారు ఏమైనా సూచనలు చేశారా? ఈ వివరాలలోకి పోయేముందు, లోపాలలో చాలా భాగము మనకు కనబడుతున్నటువంటివి అనకట్ట మరమ్మతు అనే చెప్పాలి ఈ మరమ్మతులో గూడా P.W.D. వారు ఎంతో అడ్డుగా సంచరిస్తున్నారు. దేశములో లక్షల కొలది, కోట్లకొలదిగా ఉన్న ప్రజల జీవితమంతయు ఈ అనకట్టమీద ఆధారపడివున్నది. పాడి ఆవు వంటి యిటువంటి పెద్ద ప్రాజెక్టును కాపాడటానికి P.W.D. శాఖవారు అశ్రద్ధ, నిర్లక్ష్యం చేస్తున్నారు. ఆ శాఖలోని ఉద్యోగస్థులలో పైనుంచి క్రిందివరకు ఒకరొకరిలో co-ordination లేదు. క్రిందివాడు ఏమి చేస్తున్నదిన్నీ పైవారికి తెలియదు. వారు చేసిన పనులకుగూడా appreciation అనేది కనబడదు. అందుచేత ప్రజలకెంతో ప్రయోజనకరంగా ఉండే ఈ ప్రాజెక్టు విషయంలో P.W.D. వారు తీసుకోవలసిన జాగ్రత్త తీసుకోలేదని ప్రభుత్వం గుర్తించనేలేదు వరదలు వచ్చినప్పుడు ఆ నదికి ఆయువుపట్టులాంటి ఈ అనకట్టను సరియైన మరమ్మతులో వుంచి, వివిధమైన వరదలకున్నూ తట్టుకోనేటట్లుగా చూడవలసిన బాధ్యత ఈ P.W.D వారిదై యున్నప్పుడు, ఈనాడు ఈ ప్రమాదానికి ఈ డిపార్టుమెంటును నిర్వహిస్తున్న శ్రీ వెంకటాచారిగారిది కాదని ప్రభుత్వమువారు అనగలరా? ఈ విచారణ కమిటీలో వారిని సభ్యులుగా వేసినంతమాత్రాన ఈ తప్పు నుండియు, ఈ భాధ్యతనుండియు ఎట్లు తప్పించుకొనగలరు? ప్రభుత్వం మటుకు దీనిని ఎట్లు హర్షించగలదు? ఇంతేకాకుండా ఈ P.W.D వారి నిర్లక్ష్యము అశ్రద్ధ విషయంలో యింకను కొన్ని సంగతులు చెప్పదలచాను. ఈ అనకట్టకు మొత్తముమీద కలిగిన నష్టాలను వివరిస్తున్నాను. 1952 వ సం॥ మే నెలలో ఒకసారి వరదలవల్ల అనకట్టకు నష్టం సంభవించింది. ఈ నష్టానికిగాను P.W.D. శాఖవారు ఏ విధమైన చర్య తీసుకోలేదు. ఇది సామాన్యమైన నష్టంకాదు. ఈ వరదలవల్ల అనకట్టకు గండ్లు పడ్డవి. మొత్తము గండ్లలో ఒకదాని లోతు 14 అడుగులున్నది. అసలు నీటిమట్టం అనకట్టకు ఎంత ఎత్తున్నదంటే 16 అడుగులు ఉన్నది. పదహారు అడుగులు మాత్రమే యున్నటువంటి ఈ అనకట్టకు పదునాల్గు అడుగుల గండి పడ్డదంటే ప్రభుత్వం దీన్ని గురించి ఆ గండి పూడ్చటానికి ఏమి చర్య

3–20 p.m.

తీసుకున్నది? దీనికి ప్రభుత్వం యిచ్చే సమాధానం ఏమిటి? మే నెలలో మళ్లా వరదలు వచ్చినట్లయితే, ఆ అనకట్ట పూర్తిగా కొట్టుకుపోయి ఉండేది. తర్వాత సెప్టెంబరు నెలలో వరదల మూలంగా పడిన గండ్లకు ప్రభుత్వం తీసుకున్న చర్య ఏమి? జూన్ నెలలో మరమ్మతులు పూర్తి అయినవని అన్నారు. మరమ్మతులు పూర్తి అయినవని రిపోర్టు రాగానే Executive Engineer, Chief Engineer గార్లకి తెలియజేశారా? May నెలలో జరిగినప్పుడు Chief Engineer వచ్చి చూచినట్లయితే ఈ ప్రమాదం జరిగివుండేదే కాదు. వారికి ఈ వివరాలు అన్నియు తెలియవని చెప్పుకుంటున్నారు. ఇవే రిపోర్టులో ఉన్నటువంటి ముఖ్యమైన లోపాలు. ఇదంతా Chief Engineer ను తన యొక్క భాధ్యతనుండి తప్పించడానికి, ఆయనను రక్షించటానికి ప్రభుత్వం ప్రయత్నించింది. ఆనకట్టకు పదునాలుగు అడుగుల లోతున పదకొండు గండ్లు పడడము మూలాన యింత పెద్ద ప్రమాదం జరిగేటంతవరకు Chief Engineer మే నెలలో గండి 3-20 p.m. పడ్డ దగ్గరనుంచిన్నీ, తగు శ్రద్ధ ఎందుకు తీసుకోలేదని అడుగుతున్నాను. దీనికి Chief Engineer యిచ్చే సమాధానం ప్రభుత్వం హర్షించ గలరా? ప్రభుత్వం యీ సమాధానంతో, తృప్తిపడగలరా? Executive Engineer, Superintending Engineer వ్రాసిన రిపోర్టులమీద Chief Engineer వెంకటాచారి గారు ఒక పర్యాయము అయినా ఈ గండ్లుపడ్డ ప్రదేశాన్ని చూశారా అంటే, చూచినట్లు లేదు. అది అటుండనివ్వండి P.W.D. మంత్రిగారైన రంగారెడ్డిగారు బెజవాడలో మకాం చేస్తూన్నప్పుడు ప్రజలు కృష్ణా నదిలో గండ్లు పడ్డందున నీరంతా కొట్టుకుపోయిందనిన్నీ, పంటలకు సరిగా నీరు అందుతుందో లేదో అని ప్రజలు భయపడుతున్నారనిన్నీ, ప్రజలు వెళ్లి గగ్గోలు పరిస్తే, ప్రజలు భయపడటానికి అవసరమేమి లేదు పట్టర్సు అన్నీ పదిలముగా నేఉన్నవి; మరేమి భయపడనవసరములేదని చులకనగా జవాబు యిచ్చారు. ఈ ప్రమాదం ఎటువంటిదో, ప్రజలు ఎంత ఆదుర్దాతో తనవద్దకు వచ్చి చెప్పుకుంటున్నారు అనినైనా శ్రీ రంగారెడ్డిగారు ఆలోచించ లేదు. దిన ఆంధ్రపత్రిక, ఆంధ్రప్రభ, విశాలాంధ్ర మొదలైన పత్రికలలో ఈ వివరాలన్నియు ప్రచురించబడ్డాయి. మంత్రిగారైనటువంటివారు ప్రజలను మభ్యపెట్టే జవాబులు యివ్వకపోతే యీ పట్టర్సు సరిగా ఉన్నవో లేవో వారైనా నిజస్థితి తెలుసుకోకుండా చులకనైన జవాబు లివ్వవలసిన అవసరమేమి వచ్చింది? మంత్రి శ్రీ రంగారెడ్డిగారు గాని Chief Engineer గారు గాని ఈ ప్రమాదంయొక్క లోతుపాతులు అవగాహనచేసుకొని నిజ పరిస్థితులు విచారించనే లేదు.

(At this stage, the Deputy Speaker occupied the Chair.)

"మరొక విషయమును చెబుతున్నాను. ఇప్పుడున్నటువంటి Executive Engineer Superintending Engineer యింకను వేరే యితర P.W.D. ఉద్యోగస్థులు ఈ ఆనకట్ట మరమ్మతు యెంతవరకు పూర్తి అయినదిన్నీ చూచి గ్రామాలకు వెళ్లి ప్రజలకు నీళ్లు సక్రమంగా అందుతున్నవా, లేదా, అనే విషయం ప్రజలను విచారించి వారి యొక్క భయోత్పాతాలను, ఆందోళనలను నివృత్తిచేశారా? ఈ మరమ్మతుల విషయంలో సాధ్యమైనంతవరకు కాలయాపన చేస్తూ వచ్చారుగాని, శీఘ్రచర్యలు తీసుకోలేదు. కృష్ణా డెల్టా ప్రాంతానికి సంబంధించిన రివిన్యూ ఉద్యోగస్థులుగాని, P.W.D. ఉద్యోగస్థులుగాని మంత్రిగారుగాని, ప్రజలవద్దకు వెళ్లి వారి భయాందోళనలను యింతవరకు తీర్చలేదు. ఎవరికివారు వారివారి స్థానాలలో కూర్చున్నారు. ప్రజల కష్టాలు తీర్చేవారు ఒకరుగూడా కనబడరు. సర్కారు జిల్లాల కింతటికిని ఆయువు పట్టుగాయుండే ఈ ఆనకట్టక్రింద సుమారు పదకొండు లక్షల యకరాలకు పంటకుగాను నీరు సప్లయి చేసేది. ఈ ఆనకట్ట బేసివాల్ దెబ్బతగిలిందని కమిటీ నివేదికలో

వ్రాశారు. ప్రభుత్వము యిచ్చినటువంటి డబ్బు రూ 82,500 లు ఈ అనకట్ట గండ్లకుగాను మరమ్మతుల క్రింద ఖర్చుచేశామన్నారు. ఈ మరమ్మతులవల్ల ఈ అనకట్టకు శాశ్వతంగా ప్రమాదం లేకుండాపోయిందా అని ప్రజలు ఈ P.W.D. శాఖ వారిని అడిగితే, గవర్నమెంటువారు రూ 82,500 లు శాంక్షను చేశారు, ఆ డబ్బు ఈ మరమ్మతుకుగాను ఖర్చుచేశాము. శాశ్వత మరమ్మతు అని మేము చెప్పలేము. ఏవో తాత్కాలికమరమ్మతు చేశామని సమాధానంచెప్పారు. మరల ఈ అనకట్టకు ప్రమాదం వస్తుందోరాదో మేము చెప్పలేమనిగూడా సమాధానం చెబుతున్నారు. శాశ్వత మరమ్మతులకు ప్రభుత్వం ఎందుకు పూనుకోగూడదంటున్నాను. బేస్ వాలుకు దెబ్బతగిలిందంటే, యింకొకసారి వరదలువస్తే, అనకట్ట పూర్తిగా పోతుందేమో అని ప్రజలు భయపడుతున్నారు. ఎప్పుడో సెప్టెంబరు నెలలో ప్రమాదం జరిగితే, ఇంత వరకు శాశ్వత మరమ్మతుకు ప్రభుత్వం ఆస్కారమివ్వలేదు. అనకట్ట ప్రమాదాన్ని గురించి చెప్పే ముందు యింక కొన్ని వివరాలు చెప్పదలచుచున్నాను. 1940 వ సంవత్సరమునుంచి 1949 వ సంవత్సరమువరకు ఈ తొమ్మిది యేండ్లుగా ప్రతి సంవత్సరము యీ అనకట్టకు దెబ్బతగులుతూ ఉండడం మనము ఆదరము చూస్తూ వస్తున్నాము. అసలు యీ అనకట్టకు దెబ్బతగలటం, దీనిచరిత్రలో సామాన్యంగా యిప్పటికి పది పదిహేను సంవత్సరాల కొకసారి యీ అనకట్టకు దెబ్బతగులుతూ వచ్చింది. మరల 1952 వ సంవత్సరంలో యీగొప్పప్రమాదం సంభవించింది. మనుష్యులు ప్రాణాలుకూడా కోల్పోయారు. ఈ ప్రమాదాల సంగతి ప్రభుత్వానికి తెలియనిదికాదు. ఈ ప్రమాదం రాకుండా తప్పించటానికి P.W.D. శాఖ చేస్తున్న పని యేమిటి ? P.W.D. శాఖవారు నిర్లక్ష్యము చేస్తూంటే, ప్రభుత్వం ఆశాఖమీద ఎందుకు చర్యతీసుకోరు. P.W.D. Workshop లోని చిక్కులను కొన్నివివరిస్తున్నాను. P.W.D. signals సరిగా పనిచేయడంలేదు. Workshop లోని చిక్కులు, వాటికి సంబంధించిన rules and regulations లో చాలా లోపాలున్నవి. అవన్నీ మార్చవలసివుంది. ఈ signals మరమ్మతు చేయటానికి, యింకా యితర అజమాయిషీకి యిదివరకు Mechanical Engineer ఉండేవాడు అట్లాంటిది యిప్పుడు Civil Engineer ను వేశారు. Mechanical Engineer చేసే పనులు, Civil Engineer చేయగలడా అని ప్రభుత్వాన్ని అడుగు తున్నాను. ఈ Civil Engineer గూడా యీ అనకట్ట విషయంలో అశ్రద్ధ చేశాడు. ఎన్నోసార్లు యీ P.W.D. signals పనిచేయనే లేదు. యిదివరకు నాలుగు, మూడు messages యివ్వవలసి వచ్చినప్పుడు యీ signal system ఎందుకూ కూడా పనికిరాకుండా పోయిందన్నారు. దీన్ని గురించి P.W.D. శాఖగాని, ప్రభుత్వంగాని తీసుకున్న చర్య యేమి? ఈ కారణాల వల్ల P.W.D. శాఖవారు ముఖ్యంగా దీన్ని నిర్వహించేటటువంటి Chief Engineer వెంకటాచారిగారు చూపినటువంటి నిర్లక్ష్యము, అశ్రద్ధ యీ ప్రమాదానికి పూర్తిగా బాధ్యులని చెప్పక తప్పదు.

"అనకట్టకు మద్దత్తుగా Regulator Road Bridge అనకట్టకు ఎగువన కట్టితే అనకట్టకు ప్రమాదం తప్పుతుందని Chief Engineer report లో నివేదింపబడియున్నది. యీ రిపోర్టువచ్చి యిప్పటికి రెండు నెలలు అయినప్పటికినీ ప్రభుత్వం యింత వరకు శీఘ్రచర్యలు తీసుకున్నట్టులేదు. ప్రస్తుతము యీ కృష్ణానదీ అనకట్ట విషయములో ప్రస్తుత పరిస్థితులను బట్టి యీ బ్రిడ్జిని మళ్లీవర్షాకాలనువచ్చి వరదలు రాక ముందు పూర్తిచేయక పోతే, యిప్పుడున్న అనకట్టకాస్తా ఏమవుతుందో ప్రభుత్వం ఆలోచించాలని కోరు తున్నాను. కాబట్టి ప్రజలక్షేమమే గనుక యీ ప్రభుత్వం నిజంగా చూస్తున్నారని రుజువు చేసుకోవాలని వుంటే, యీ బ్రిడ్జి విషయం శీఘ్రంగా

చర్యలు తీసుకుంటారని నమ్ముతున్నాను. కాబట్టి P.W.D. శాఖలోని లోపాలన్నీ గుర్తించి, ఆలోపాలను సరిచేయటానికి చర్యలు తీసుకోవాలని కోరుతూ, regulator road bridge విషయంలో శీఘ్ర చర్య తీసుకొనవలసిందిగా ప్రభుత్వాన్ని కోరుతూ విరమిస్తున్నాను."

3-30 p.m. SRI C. V. K. RAO :—" Mr. Deputy Speaker, Sir, the report of the Krishna Anicut Enquiry Committee is presented to this House to whitewash the grave blunders committed by the Government affecting the ryots, and the people of the State in particular, by the Public Works Department. The final conclusions that the committee have come to are that the ryots' interests were protected, and the Government discharged their responsibilities properly. That is the report that has been placed before this House. It is only after enormous damage has been done to an important anicut, namely, the Krishna Anicut, and a number of lives have been lost in an accident that occurred there, and ryots have been affected, the Government have come forward with this report to whitewash the whole guilt. The Government knew full well that the anicut was constructed one hundred years ago. In the report it is stated that the Government felt that it would last for one hundred years, and there was no need for the Government to look after the anicut for one hundred years to come. In May 1952 (I am now speaking on the report), according to the report, Nature was responsible for heavy floods, and as such the damage occurred. I would like to know why is it that the Public Works Department which is in fact a technical department and the Public Works Department Minister never cared to look after this. They had to wait, according to the scientific data, for one hundred years! On that score the Government have committed a grave blunder. They have completely neglected it, and they now want to lay the blame on the floods that occurred in May 1952. Now they say that everything is all right, they have attended to the minor repairs, and that they are appealing to the Central Government for sanctioning the scheme. They say that all will be well hereafter. That is the attitude the Government are adopting. The Government appointed a gentleman to serve on this committee who, as a matter of fact, even from a judicial standpoint, ought not to have been appointed. The officer appointed (Sri Venkatachari, Chief Engineer) was in fact the head of that Public Works Department branch who has got to answer why this serious blunder has occurred. He should have been a witness, and not a Member of that Committee. He should have been examined thoroughly. Certain non-official gentlemen should have been appointed to that Committee. But the Government did not care to get at the truth. The Government are really not interested in the people. As such, they wanted to appoint the very gentleman, who, as a matter of fact, should answer how the accident occurred, to be the judge himself. That is the very reason why in the report it has been stated that information was not furnished to the Chief Engineer. I would like to know what these Nawabs in the Secretariat were doing then. They were simply

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there in order to receive fat salaries? Whenever any irregularity occurs, they would like to throw the blame on the subordinates. That is the actual position. In the report, referring to the Chief Engineer, at the end, it has been stated, ' his dual position as Chief Engineer and as a Member of the Committee has been difficult, but he has unreservedly placed all the information available at the disposal of the committee.' I would like you, Mr. Deputy Speaker, to note the particular wording, ' as a Member of the Committee has been difficult.' Surely he should not have been a member of the Committee. So, in the preparation of the report and in arriving at the truth, there must have been plenty of difficulties. In conclusion the report says, ' they have no doubt that the enquiry would be of some assistance to him as it has disclosed several matters which would not ordinarily have come to his notice as falling within the competence of the local Superintending Engineer '. This gentleman wants to palm off the responsibility to the subordinates. I would have liked the Hon. the Minister himself to answer the charge. But here is another Nawab, namely, the Chief Engineer, who perhaps considers himself to be much superior to the Hon. Minister himself, and puts the blame on the subordinates. So, when a Committee has been appointed with such personnel, how could we expect them to arrive at the truth? How could we expect them to make any changes to rectify the mistakes that have been committed, and to improve that anicut? The Hon. Minister has himself admitted that nothing would be done in regard to this out-dated anicut which ought to have been replaced long ago and the sanction of the Government of India obtained to improve the anicut. It has become the fashion of the Government, which styles itself a democratic Government, to throw the responsibility on everybody except on itself. As far as the ryots are concerned, the Government have the audacity to say that the ryots' rights have been protected. I submit, Sir, that the ryots have suffered enormous loss. Food production has been severely affected by the negligence of the Government. Even four months after so much damage has been done, nothing tangible has been done to help the ryots. The Government have got to answer all this. After listening to the criticisms, I would very much appreciate if the Government come forward to attend to this important work and rectify the mistake. The work is not yet completed. The Krishna delta ryots were not supplied with water in 1952–53. The repairs carried out are so meagre and minor that they will not make any great change in the situation. I submit that the report is presented only to be rubber-stamped by a submissive majority in the House in order to whitewash the gross negligence on the part of the Government.

" With these words, Sir, I resume my seat."

SRI VAVILALA GOPALAKRISHNAIAH :—" అధ్యక్షా, . . ."

THE HON. SRI C. SUBRAMANIAM :—" The hon. Member can speak in English." 3-40 p.m.

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* SRI VAVILALA GOPALAKRISHNAIAH :—" Sir, as the Hon. the Finance Minister wants me to speak in English, I shall try to speak in English with my limitations of language. Whenever I feel difficulty, I shall speak in Telugu.

" First of all, I must pay my tributes to all the people who sacrificed their lives while serving the people, for their patriotism. I include among them every one, from Sri Vepa Krishnamurthi down to the ordinary worker. Next, I shall quote the following Telugu poem in this connection :—

'ఏరమడిగన కుంతిచేత, వాసవు చేతః
ధర చేత, శల్యు చేతను
అరయంగా కర్ణుడీల్గె నార్వురిచేతఁ?'

That is what we have to say to-day. What is the story of the Krishna Anicut? Sir, the one man who is responsible for this mishap is the Arjuna who killed Karna taking advantage of his weak point. Here that Arjuna is Sri Venkatachari. But he is not an Arjuna with all the good traits of Arjuna, but he is an Arjuna in the sense of killing other people taking advantage of their weakest and disadvantageous points.

" Then, in 1947 there was a report recommending the construction of the regulator bridge. But the Chief Engineer ignored the whole thing and did not take prompt action. Again, as my hon. Friend Sri C. V. K. Rao said, this particular anicut was an outdated one. It was constructed in 1852.

" Then, Sir, I myself had been a witness before the Enquiry Committee and I objected to the membership of Sri Venkatachari on the Committee. This can be verified even now from the records. One will be surprised to know how we were asked to go and give evidence before the Committee on a certain day by 2 p.m. at the Superintending Engineer's Office, Vijayawada. A telegram was sent on that day at 1-30 p.m. from Guntur by the District Collector and we received it at 3-30 p.m. But we were asked to go before the Committee for giving evidence the same day at 2 p.m. This is how the Committee managed things. Anyhow, I took the opportunity of appearing before the Committee at a later stage and I objected to the presence of Sri Venkatachari on the Committee. He was a criminal, but there he was put on the Committee as a judge. It was explained to me that he was put on the Committee because it was felt that he would be helpful in furnishing the necessary records. From this, we can see how the department is working in a co-operative spirit. Now, there are two sections in the Public Works Department. One is the Electricity branch and the other is the Irrigation branch. Both of them are connected with the Krishna Anicut. The anicut was constructed by the Irrigation Department. There is also an electric line running from Vijayawada to Guntur. There has been some damage done to this electric connection but it has not been repaired so far. I was telling many of my friends that it would lead to some disaster.

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Finally, it really culminated in a disaster. Sir, we sympathise with the families of the deceased. The Government and Sri Venkatachari have made us sympathise with them also. Now, the latter resigned just before the Committee's Report was published. If he was not a culprit, why did he resign just then? The Committee state at the end of their Report, 'They have no doubt that the enquiry would be of some assistance to him . . .' That means it would be of assistance to Sri Venkatachari. Why? Because it has disclosed several matters which would not ordinarily have come to his notice. That is why he was not bold enough to face the public as Chief Engineer and he resigned.

"In the body of their Report, the Committee state as follows:—

'It (the anicut) was constructed between 1852–1855. It is seen from Walsh's history of the Krishna Delta that in 1893 an attempt was made to raise the crest of the anicut by 3 feet to meet the increasing needs of the delta. This was promptly followed by damage to the anicut itself and it is on record that the addition was dismantled and removed in the following year and 3 feet falling shutters were provided instead. There was also a crack in the body wall of the anicut itself, and though it is not stated where exactly the crack occurred, it is possible that it was in the region of the fourth set of shutters as now located. This surmise gains some degree of probability from the recorded fact that the original bed of the river was very deep somewhere about here and that the depression was filled up by sand before foundation wells for the body wall were sunk. The falling shutters which were installed when the addition to the crest was removed, were automatic; they dropped of their own accord immediately the flood rose a few inches above their top and lay flat on the crest until they were lifted again by manual labour when water was standing a foot or so above the crest. The ayacut of the Krishna Eastern and Western deltas as originally contemplated was in the neighbourhood of 5·80 lakhs of acres, while it is now about 11 lakhs of acres. The 3 feet falling shutters originally installed were found to be inadequate by about 1913 or 1914. Even by 1908 the ayacut had increased to such an extent that Mr. Reid who was then investigating the Krishna Reservoir Project, considered that it was necessary to raise the Krishna anicut shutters to 5 feet to meet the requirements of the delta and to 7 feet, if the extra supplies that would be available from the Krishna Reservoir were to be efficiently handled. The matter was not pursued then but came up again in or about 1917, when a localization committee was working with the object of limiting extensions to the ayacut. It was ultimately decided in 1922 that the present 6 feet shutters should be installed and the work was executed in 1923–25.'

"Then, about the construction of a regulator bridge, the Committee have stated as follows:—

'From the point of view of cost, we do not think that there would be very much to choose between the two alternatives, while the second is to be distinctly preferred as a permanent measure for meeting adequately the irrigation requirements of the deltas. The regulator can be easily combined with a road bridge. A proposal for a regulator and bridge was first submitted to Government in Irrigation Chief Engineer's letter No. 121/37 C-1, dated 16th January 1937. A further scheme was submitted through the Board of Revenue in 1941–42 and orders were passed by Government in their Memorandum No. 1009-D/42-1, dated 7th April 1942. The Chief Engineer brought this up again and the Government finally ordered in P W. No. 1161, dated 23rd June 1943, that the papers would be recorded.'

"So, finally, the papers were recorded. That was in 1943. Therefore, as Head of the Irrigation Branch, the Chief Engineer shelved the whole thing.

"I have no time at my disposal to speak more. I appeal to the Government that my amendment may be accepted and that the construction of the regulator bridge may be taken up. The

[Sri Vavilala Gopalakrishnaiah] [8th April 1953

Chief Engineer resigned just before the publication of the Committee's Report. If he had remained in office one day longer, my idea would have been otherwise. But the very fact that he went out of office just before the Committee's Report was published is proof positive of my contention.

3-50 p.m. "Let the Government consider the verdict of the public and the Assembly also. I request the Government to undertake the laying out of the regulator and to avoid the big anicut being washed out. It would not take much time to complete this. I appeal to the Government to undertake the work immediately. The Andhra State is coming. I am not much mindful about that even. We must have some water tomorrow. If the anicut is washed out, then there will be no Andhra State. It is an agricultural area. If the anicut goes, then it will become like other famine-stricken areas and the Hon. the Revenue Minister will have to come to our rescue. Instead of his coming to our rescue let the Public Works Department Minister come to our rescue. I once again request the Government to undertake this work."

Sri M. LAKSHMANASWAMY:—"ఉపాధ్యక్షా, ఈ రిపోర్టును యీపూట చర్చించడంలో వుదయంనా ప్రశ్నచర్చకు రాలేదు. అయితే ఆవిషయములో నేను అడగవలసిన విషయాలు కొన్ని ఇప్పుడు నేను P.W.D. మంత్రిగారిని అడుగుతున్నాను. వారు నాప్రశ్నలకు సమాధానాలను చెబుతారని ఆశిస్తున్నాను. మొదటిది ఏమిటంటే కృష్ణానది మీద Regulator-road bridge ని గురించి ప్రభుత్వానికి Chief Engineer గారు ఏ తేదీన estimates ను పంపిచారు? తర్వాత ప్రభుత్వం కేంద్ర ప్రభుత్వానికి యీ estimates ఏ తేదీన పంపిచారు? ఈ రెండు ప్రశ్నలకు మంత్రిగారు సమాధానాలు తప్పకుండా చెప్పాలని కోరుతున్నాను. మంత్రిగారు యిచ్చేటటువంటి సమాధానాలను బట్టి ప్రభుత్వం తనబాధ్యతను నిర్వహించారా లేదా అని ప్రజలు నిర్ణయించటానికి ఆసమాధానాలు తోడ్పడుతవి. దీనితో బాటు యిప్పటికి తాత్కాలిక రిపేర్సుకొన్ని జరుగుచున్నవి. ఈ రిపేర్సుకుగాను యిప్పటికి ఎంత మొత్తము ఖర్చుపెట్టడము జరిగింది? రాష్ట్ర ప్రభుత్వం ఈ విషయం చెప్పియున్నట్లయితే బాగా ఉండేది. ఎందుచేతనంటే యీ వివరాలు బడ్జటులో ఎక్కడను కనబడలేదు. ఇంతమొత్తము ఎక్కడనుంచి ఖర్చు పెట్టడం జరిగింది? ఈ రోజువరకు ఎంతమొత్తము ఖర్చుపెట్టారో ప్రభుత్వంచెబితే, మాసందేహ నివృత్తి అవుతుంది. తర్వాత Chief Engineer report ను పరిశీలించేటప్పుడు, ఆ రిపోర్టులో అన్ని విషయాలు యీ రోజున చర్చించ నక్కరలేదు. కృష్ణానది ఆనకట్ట మరమ్మతులు ఎంతవరకు పూర్తి అయినవిన్నీ, ఏరీతిలో నున్నవిన్నీ వాటిని జాగ్రత్తగా పరిశీలించుచున్న పెద్దమనుష్యులద్వారా అర్థమవుతూనే వున్నది. క్రిందటిసారి బడ్జటు సమావేశంలో జనరల్ డిబేటులో ఈ విషయాన్ని నేనుతీసుకొని వచ్చినప్పుడు Chief Engineer గారి తప్పిదములు సమర్థించటానికి మంత్రిరంగారెడ్డిగారు ప్రయత్నించారు. ఈవిషయములో నేనొక ప్రశ్న అడుగుతున్నాను. ఇంతవరకు నామిత్రులు అడగనటువంటి విషయాలను అడుగుతున్నాను. ఒకసారి చర్చించి అటుతర్వాత ఆ మరమ్మతుజరిగింది అన్నతర్వాత Chief Engineer ఆ ప్రదేశానికి వెళ్లి ఆమరమ్మతులు ఎంతవరకు అయినవని చూచివచ్చారా? చూచివచ్చి, ఏమైనా రిమార్కుస్ వ్రాశారా? వ్రాసి ఉన్నట్లయితే యీ డామేజికి సంబంధించిన బాధ్యత తన నెత్తిమీదపడుతుందని, ఆ రిపోర్టులో ఆయన ఈ విషయం ప్రస్తావించలేదా? అలా

8th April 1953] [Sri M. Lakshmanaswamy]

ప్రస్తావించటానికి ఆ విచారణ కమిటీలో సభ్యుడుగా నుండిన కారణంచేత, ఆ తప్పిదము తనమీదపడుతుందనే ఉద్దేశ్యముతో రాజీనామా యిచ్చారు అనేదానికి ప్రభుత్వంకాదని చెప్పగలదా? చెప్పగలిగితే నాకు అభ్యంతరములేదు.

"తర్వాత ప్రభుత్వం మొట్టమొదట జూన్ రిపోర్టులో జరిగిన విషయాలు కూడా చెబుతున్నాను. తాత్కాలికముగా చేసిన మరమ్మతులవల్ల ఈ అనకట్ట క్రిందసాగుబడి అయ్యే పదకొండు లక్షల యకరాలు సాగుబడి సవ్యంగా అవుతుందా? సాగుబడి అయ్యేటట్లయితే, రెండవ పంటకు నీరు సప్లయి అవుతుందా లేదా అనే విషయాలు పరిశీలించవలసియున్నది. రెండవ పంటకు నీరురాక పంటలు నష్టపడుతాయని ప్రజలు ఆందోళన చేశారు. ఈ విషయం అక్కడ వున్న P.W.D. అధికార్లకు చెప్పుకుంటే, ఈ విషయంవారి చేతులలో లేదని సమాధానాలు యిచ్చారు అలాగే రెండవ పంటకు నష్టమే జరిగింది. ప్రజలకు మంచినీళ్లు సప్లయి కావటానికి చాలకుండా ఉన్నది. అంటే, ప్రభుత్వం ఈ రెండవ పంటకు ఎక్కడనుంచి నీరుసప్లయి చేయగలరని ప్రభుత్వాన్ని అడుగుతున్నాను. కాబట్టి ఈ విషయాలన్నియు ప్రభుత్వం దృష్టిలో పెట్టుకొని ప్రభుత్వం బాధ్యత వహించాలని చెప్పవలసి వుంది. అంతే కాకుండా ఈ సంవత్సరం ఈ regulator bridge కొరకు ప్రభుత్వం ఏమైనా కృషిచేసిందా? ప్రభుత్వానికి యిటువంటి బ్రిడ్జి విషయంలో శ్రద్ధ వున్నట్లయితే, యీ మధ్య శ్రీ రాజగోపాలాచారిగారు డిల్లీకి వెళ్లినప్పుడు ఈ విషయాన్ని Central Government వారితో సంప్రదించి ఏ మార్చి నెలలోనో దీన్ని ప్రారంభించటానికి ప్రయత్నంచేసి వుండేవారు. కాని శ్రీ రాజగోపాలాచారిగారు తమమీద బాధ్యత పడకుండానున్నూ, యీ బ్రిడ్జిని ప్రారంభించకుండానున్నూ ఉండాలనే దృష్టితో వారు ప్రవర్తించారు. ఎందుకంటే యీ మేనెలలోగా యీ బ్రిడ్జిని ప్రారంభించకపోతే, తర్వాత వానాకాలమువచ్చి వరదలవల్ల యీ బ్రిడ్జిని కట్టటానికి అవకాశం లేకపోవచ్చు. అందువల్ల ప్రభుత్వం ఈ విషయములో ఏమాత్రం శ్రద్ధ తీసుకోలేదని చెప్పక తప్పదు. అయినప్పటికి యికమీదటనైనను ఈ పని ప్రారంభించినప్పటికినీ, ఎక్కువ పని పూర్తికావటానికి వీలుంటుందో లేదో చెప్పలేము. ప్రభుత్వం Central గవర్నమెంటువారికి పంపాము అంటే, Central గవర్నమెంటునుంచి యీ స్కీము శాంక్షను కావటానికి యింకా ఎంత కాలము పట్టునో గూడా తెలియకున్నది. ఇంతేకాకుండా ఆంధ్రరాష్ట్ర స్థాపన ప్రారంభం అవుతున్నదనే సాకుతో యీ స్కీము నెట్టివేయడముకూడా జరిగితే జరగవచ్చు అనుకుంటాను. కాబట్టి ప్రభుత్వం నా ప్రశ్నలకన్నిటికిని జవాబులు చెప్పి, నా అనుమానాలను నివృత్తి చేయమనినీ, ప్రభుత్వంవారు అవలంభిస్తున్న policy యీ విధంగావున్నదనినీ, అనుమానాలకు దోహదమిస్తున్నదనినీ, సభ్యులకు తెలియజేస్తూ, మరొకసారి నా ప్రశ్నలకు సమాధానాలను చెప్పమని ప్రభుత్వాన్ని కోరుతూ ముగిస్తున్నాను."

* SRI M. HANUMANTHA RAO :—" Mr. Deputy Speaker, Sir, now after six months of the Report being prepared, we are asked to consider it. I am reminded of the saying that six months after the thieves entered the house, the dogs began to bark. This is something like that. I hold this Government mainly responsible for the damage that occurred to the Krishna anicut and for the further risk to which it is subjected even to-day. While I hold the Government responsible for this damage, I would like to make three points. When we take the historical background of the

anicut into consideration, it is clear from the report itself that it has outlived its age. Almost 100 years back it was constructed and the people's impression now is that the engineers who were constructing the anicut then opined that it would not live for more than 100 years. That impression is almost confirmed by the report that is given to us. It was subjected to damages in the year 1893. Again it was subjected to damages in 1926–27. Then again in 1940–41, the aprons were greatly damaged. Since 1946, for five years continuously, year after year, the second and the third aprons got damaged. When such is the historical background of the anicut can a Government, and that too, Rajaji's Government, afford to neglect and ignore what has been happening to it? This Government immediately after coming to power should have gone into the question, enquired into the details of the whole thing and found what was essential for the anicut to be kept in good order. But they did not do like that and in May 1952, damages were already taking place owing to floods—unusual floods they were—and not less than eleven scours occurred there all along the line.

4 p.m. "And this Government did not devote that serious attention which it deserved even then. They did not send their Chief Engineer to enquire into the matter. They did not take the advice of the technical experts all over the country. They did not invite the Central Government to help them in this matter. So, Sir, after some time, again in September 1952, greater damage was done to the anicut. Due to this the lives of seven officers and workers of the Engineering department were taken away. It also brought to the delta people very great concern, anxiety and difficulties. For these reasons the Government must certainly be held responsible for all that has happened to the anicut.

"Sir, it is clear from the report itself that the anicut cannot resist for long. The foundations are not strong enough. The version of the Committee is that the anicut is something like a superstructure on a loose sandy soil and is subject to the risk of being washed away at any moment. That is the position and Government have not taken proper steps to protect the anicut. What has happened has happened and even after that, after September 1952, did the Government devote proper attention to the anicut? My opinion is that they have not devoted serious attention to this. Why do I say so? Because the Chief Engineer has again pointed out that even after the temporary repairs that were carried out, the anicut is subject to great danger. The anicut might be washed away at any moment if there should be floods, because the anicut is so weak. That is the warning of the Chief Engineer. Did the Government move in the matter even after this warning? No, they did not. They think they can satisfy the people by saying temporary repairs are being carried out, everything would be alright, they would get the required water and therefore they need not worry. They do not care to go deep into the matter and devote earnest and serious attention to it. Again when the Chief Engineer himself recommended that the construction of a road-regulator alone can save the anicut from

further danger, did the Government move in the matter? They did not. Government ought to have taken up the construction of the road-regulator this year itself. Even though it is nearly two months since this recommendation was made by the Chief Engineer, the Government have not moved in this matter. Correspondence is still going on between this Government and the Central Government. The summer will be over in about a month's time and it does not appear that the work would be taken up before that. Sir, the question of formation of the Andhra State comes as the main obstacle for the Government to take up many such questions. In this case also I do not know whether they have the same excuse to offer. But I say in this case that explanation won't hold any water at all. This is a serious thing. If this is not attended to food production would be upset. Our country is deficit in the matter of food and the position would become still worse if 11 lakhs of acres were allowed to become barren by any damage that might be done to the anicut. Therefore this is an urgent matter. It has not been taken up seriously by Government As one of my hon. Friends pointed out, Rajaji ought to have gone to Delhi and moved the Central Government to take action in this matter. He has not done it. Neither did the Hon. Minister for Public Works move in this matter. We are only told here that correspondence is going on between this Government and the Central Government. It is no good saying so. It is the responsibility of this Government and if any damage is caused to the anicut by further floods, Government cannot wash away their guilt in the matter.

"Sir, the entire thing is being mismanaged from top to bottom, by the Government. I am not speaking of the former Government. They are not here now. The responsibility of the former Government was there. But after this Government came into power they too did not care to look into the matter. The present position is pregnant with danger. If action is not taken immediately, Government would be putting 11 lakhs acres of delta land in danger. This will affect our food position and production. Therefore I oppose this motion and strongly feel that some censure must be passed against the Government. It is evident from the report itself, that it is the responsibility of the Government. Nobody can deny it. Government might offer some lame excuses. Sir, in spite of these things, I would appeal to the Government even at this stage, at this late hour to do what all they can in this matter. They must move in the matter quickly. If anything could be done before the 15th May, let them attempt it and do it immediately. We would all help them in the matter. In fact we are seriously concerned with this anicut. Not only we, the Communist Party, but the people who live in the Krishna delta and the entire people of Andhra are agitated over this. Therefore, once again I appeal to Government to move quickly in the matter and do what all they can, do in the matter."

SRI T. POTHA RAJU:—"ఉపాధ్యక్షా, ఈ క్రిష్ణా ఆనకట్ట Enquiry Committee యొక్క రిపోర్టు చూస్తే, ఈ విషయములో ప్రధానమైన బాధ్యత

[Sri T. Potha Raju] [8th April 1953

ప్రభుత్వముమీదనే ఉన్నదని రుజువగుచున్నది. అందులో ముఖ్యంగా రాజగోపాలాచారిగారియొక్క బాధ్యత చాలా హెచ్చుగా ఉందని నా అభిప్రాయము. దానికి కారణాలు చెప్పుతాను. 1925 వ సంవత్సరములో, మొట్టమొదట దఫా ఈ క్రిష్ణా ఆనకట్టమీద 6 అడుగుల ఎత్తున పట్టర్లు పెట్టినప్పుడు crest of the anicut కు పైన $6\frac{1}{2}$ లేక 7 అడుగుల నీరు ప్రవేశించినట్లయితే, ఆ నీటియొక్క వొత్తిడిని, అది భరించలేదు, ఆనకట్ట దెబ్బతింటుందనే విషయము 1926 వ సంవత్సరములోనో లేక మరు సంవత్సరములోనో తెలిసింది. 1926, 1927 వ సంవత్సరమునుంచి, అనగా ఈ క్రిష్ణా ఆనకట్టకు ఇప్పుడున్నటువంటి 6 అడుగుల పట్టర్లు పెట్టినప్పటినుంచి, అది water pressure కు తట్టుకోలేకుండా ప్రతి సంవత్సరము వరుసగా దెబ్బతింటున్నదని ప్రభుత్వానికి తెలుసును. 1937 వ సంవత్సరములోనే, Chief Engineer ఈ లోపాన్ని గుర్తించి, ఈ 6 అడుగుల పట్టర్లవల్ల ప్రయోజనంలేదని, వరదలు వచ్చినప్పుడంతా ఇది దెబ్బతింటుందని, అందువల్ల దీనికి regulator కట్టవలసిన అవసరమున్నదని ప్రభుత్వానికి recommend చేయడం జరిగిందని ఈ రిపోర్టులో స్పష్టంగా తెలుస్తున్నది. 1937 వ సంవత్సరము అంటే అప్పుడు రాజగోపాలాచారిగారు ప్రధానమంత్రిగా ఉన్నటువంటి కాలము. ఆ విధంగా వారు ఈ మద్రాసు రాష్ట్రానికి అప్పుడు ముఖ్యమంత్రిగా ఉండినప్పుడు, మొట్టమొదటి దఫా ఈ regulator కట్టవలసిన అవసరమున్నదని వారికి రిపోర్టు సమర్పించబడినది. అటువంటప్పుడు రాజగోపాలాచారిగారు గాని, వారి మంత్రివర్గము గాని ఎందుకు ఈ విషయాన్ని జాగ్రత్తగా పరిశీలించి దాన్ని నిర్మించేందుకు పూనుకో లేదని అడుగుతున్నాను 11 లక్షల ఎకరాలకు సాగు చేయగలిగినటువంటి ఇంత ముఖ్యమైనటువంటి ప్రాజెక్టు విషయంలో వారు ఎందుకు అశ్రద్ధవహించారు? 42 వ సంవత్సరంనుంచి దాదాపు ప్రతి సంవత్సరం recurring గా damage అగుచున్నదే, దీన్ని తొలగించడానికి రాజగోపాలాచారిగారి ప్రభుత్వముగాని, ఆ తరువాత వచ్చినటువంటి మంత్రివర్గముగాని 1946 వ సం॥లో వచ్చిన మంత్రివర్గముగాని ఏమి చేసిందని అడుగుచున్నాను. రాజగోపాలాచారిగారి మీద, వారి మంత్రివర్గముమీద ఆంధ్రులు అనుమానపడుతున్నారంటే అందుకు ఇదే రుజువుచేస్తున్నది. లేకపోయినట్లయితే ఈ ఆనకట్టకు ప్రతి సంవత్సరం ఈ విధంగా damage తగులుచున్నప్పుడు, దీనిపైన 6 అడుగుల, 7 అడుగుల నీరు ప్రవహించినప్పుడు, ఆ water pressure కు ఇది తట్టుకోలేదని రిపోర్టుచేయబడినప్పటికీ మేనెలలో వరదలవల్ల ఈ ఆనకట్ట దెబ్బతినింది చూచి మరల సెప్టెంబరులో ప్రమాదము ఏర్పడేవరకుగూడ ప్రభుత్వము ఈ విషయంలో ఏమీ శ్రద్ధవహించలేదంటే, వారి దృక్పథము ఏవిధంగా ఉందో ఆలోచించుకోవచ్చును. తరువాత, rules and regulations లో లోపాలున్నాయని ఆఫీసర్లలో co-ordination సరిగా లేదు అనేటటువంటి minor విషయాలున్నాయిగాని వాటినేమి నేను చెప్పదలచుకోలేదు. ప్రధానమైనటువంటి విషయాన్ని మాత్రము అడుగు

4-10 p.m. చున్నాను. 1937 వ సంవత్సరంలోనే రాజగోపాలాచారిగారు ముఖ్య మంత్రిగా ఉన్నప్పుడే, ఈ 6 అడుగుల పట్టర్లువల్ల ప్రయోజనంలేదు, ఆనకట్ట దెబ్బతింటుంది, కనుక regulator నిర్మించడం అవసరమని Chief Engineer రిపోర్టు ఇచ్చారు కదా? తరువాత అప్పుడప్పుడు వరదలవల్ల ప్రమాదము ఏర్పడుతున్నది. ముఖ్యంగా కొద్ది సంవత్సరములనుండి, ప్రతి సంవత్సరము తప్పకుండా ఆనకట్ట దెబ్బతింటున్నది గదా? అలాంటప్పుడు, 1937 వ సంవత్సరములోనే ఈ విషయాన్ని తెలుసుకొన్నటువంటి అప్పుడు ముఖ్యమంత్రిగా ఉన్నటువంటి రాజగోపాలాచారిగారు ఈ ప్రమాదాన్ని తొలగించడానికి ఆనకట్టను భద్రపరచడానికి ఏమి చేశారు? పోనీ వారి తరువాత

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వచ్చిన వారి అనుచర మంత్రివర్గముగాని, ఏ మంత్రివర్గముగాని ఈ విషయములో శ్రద్ధ తీసుకొన్నదా అని అడుగుచున్నాను. తరువాత మరల ఇప్పుడు రాజగోపాలాచారిగారి అధ్వర్యాన ఏర్పడిన మంత్రివర్గము వచ్చింది కదా, ఈ ప్రభుత్వము వచ్చినప్పటినుంచి ఏమి చేసింది? ఈ మంత్రివర్గాలన్నీ ఎవరెవరు ఏమేమి చేశారని తెలుసుకోడానికి చరిత్ర లేకపోలేదు. ఇంజనీర్లయొక్క చరిత్ర లేకపోలేదు, రివిన్యూబోర్డుయొక్క చరిత్ర లేకపోలేదు. ఇవన్నీగూడ గత పరిస్థితులను స్పష్టంగా తెలుపుతాయి. వీటన్నిటివల్ల ఈ ఆనకట్టకు రెగ్యులేటర్ కట్టవలసిన అవసరమెంతైనా ఉన్నదని తెలుస్తున్నది. అయినప్పటికికూడ ప్రభుత్వము ఈ విషయంలో ఏమీ శ్రద్ధ వహించకుండాయున్నదనిగూడ రుజువగుచున్నది.

" రెండవది, 1937 వ సంవత్సరమునకు పూర్వమే, Highways department, 26 వ సంవత్సరంలోనే, ఎప్పుడైతే ఈ 6 అడుగుల షట్లర్లు పెట్టారో, అప్పుడే ఆ ట్రంకు రోడ్డు పైన నడుస్తున్న traffic ను దృష్టిలో పెట్టుకొని ఒక రోడ్డు బ్రిడ్జి కట్టాలని, కృష్ణా రైల్వే బ్రిడ్జి దిగువ ఒక రోడ్డు బ్రిడ్జి అవసరమని కేంద్ర ప్రభుత్వానికి సూచించి, ఒక కోటి రూపాయలు దానికి ఎస్టిమేటు వేసియుండినది. తరువాత 1937 వ సంవత్సరంలో రాజగోపాలాచారిగారు ముఖ్య మంత్రిగా ఉన్నప్పుడు, ఈ ఆనకట్టకు regulator అవసరమని చెప్పి చీఫ్ ఇంజనీరు recommend చేస్తూ, దానికి 63 లక్షల రూపాయలు ఎస్టిమేటు వేశారు. ఈ సర్వమును దృష్టిలో పెట్టుకొని, ఈ కృష్ణా ఆనకట్ట రైతాంగానికి ప్రజలకు చేస్తున్న service ను, దానియొక్క ఉపయోగాన్ని గుర్తించికూడా దీనికి regulator, road bridge ని కట్టేందుకు ఏ మాత్రము శ్రద్ధ చూపకుండా ఉన్నది. ఈ Enquiry Committee Report ప్రభుత్వానికి సమర్పింపబడి ఇప్పటికి సుమారు 6 మాసములైనదిగదా, దాన్ని గురించి చర్చ ఈనాడు అనగా అది వచ్చిన 6 మాసములకు, జరుగుచున్నదంటే, ప్రభుత్వము దీనిమీద ఎంత శ్రద్ధ వహిస్తున్నదో ఆలోచించుకోవచ్చును. ఈ regulator-road bridge యొక్క అవసరాన్ని Highways department, ఇంజనీర్లు సూచించినప్పటికి, Highways department రోడ్డు విషయంలో మద్రాసు గవర్నమెంటు ఒప్పుకొనిన వెంటనే పని ప్రారంభిస్తామని చెప్పి సిద్ధంగాఉన్నప్పటికిని, కేంద్రప్రభుత్వానికి కూడాదాని ఆవశ్యకతను తెలియజేయబడినప్పటికిని ఈ మద్రాసు ప్రభుత్వము ఏ విధమైన శ్రద్ధ తీసుకోకుండుట చాలా శోచనీయము. నిజంగా రాజగోపాలాచారిగారు ఈ కార్యము చేయదలచుకొంటే, వారికి కేంద్ర ప్రభుత్వములో ఉన్న పలుకుబడినిబట్టి కేంద్ర ప్రభుత్వముయొక్క అనుమతిని, సహాయాన్ని పొంది దీనిని నిర్మించుట వారికేమాత్రము కష్టమైన పనిగాదు. వారికి కేంద్ర ప్రభుత్వము ఎప్పుడు contact లోనే ఉంటుంది. అప్పుడప్పుడు ఢిల్లీకి వెళ్లుతూనే ఉంటారు. ఇటీవల హైదరాబాదు కాంగ్రెసు మహాసభకు వెళ్లారు. మరియు ఆంధ్ర రాష్ట్ర సమస్య గురించి Working Committee కి వెళ్లారు. ఈ సందర్భాలలో ఎప్పుడైన ఈ విషయాన్ని కేంద్ర ప్రభుత్వముతో ప్రస్తావించి సాధించియుండవచ్చును. కాని ఆలా చేసిన క్షేమి కన్పించదు. ఆంధ్ర రాష్ట్ర నిర్మాణానికిగూడ వీరు నిజంగా తోడ్పడియుండినట్లయితే, పొట్టి శ్రీరాములు తదితర ఆరుగురు దీనికొరకు చనిపోవవలసిన అవసరము ఏర్పడియుండునేమో ఆలోచించుకోవచ్చును. ఇప్పుడు ఈ ఆనకట్ట విషయములో ఏమి చేసినారని అడిగితే, కేంద్ర ప్రభుత్వానికి కాగితాలు పంపించామని మంత్రిగారు చెబుతారు. కేంద్ర ప్రభుత్వము చూస్తే మాకు అవి చేరలేదు " అని అంటుంది. ఇదంతా చూస్తే, ఈ మంత్రివర్గము, రాజగోపాలాచారిగారు ఆంధ్ర ప్రజలయెడ సవతి తల్లి ప్రేమను చూపుతున్నారని స్పష్టమగుచున్నది. తెలుగు మంత్రుల దృక్పథము చూస్తే, "ఆంధ్ర రాష్ట్రము రానే

వస్తుంది, ఇప్పుడు డబ్బు ఖర్చు ఎందుకు, ఆంధ్ర రాష్ట్రము వచ్చిన తరువాత వాళ్లే దీనిని కట్టుకొంటారు. కేంద్ర ప్రభుత్వము డబ్బు ఎట్లా ఇవ్వనే ఇస్తుంది అని అంటారు. ఈ ప్రాజెక్టుకుగాను ఖర్చు ఆంధ్ర రాష్ట్రము వచ్చిన తరువాత ఆంధ్రులే పెట్టుకో వలయుననే అభిప్రాయము సరియైందికాదు. ఎందుకనగా ఉమ్మడి రాష్ట్రములో ఈ అనకట్టయొక్క ఉపయోగాన్ని ఇదివరకు ఇతర ప్రాంతములుకూడ పొందుతూ యున్నవి. అటువంటప్పుడు దీని ఖర్చును ఉమ్మడి రాష్ట్రము భరించుట న్యాయము. ఇదివరలో చీఫ్ ఇంజనీరు మొదలగువారు అక్కడికివచ్చి దీన్ని చూచి విచారించిపోయి నప్పుడు ఈ పని వెంటనే ప్రారంభిస్తారేమోనని ప్రజలు అనుకొన్నారు. కాని దీని విషయమై Superintending Engineer ను, Executive Engineer ను అడిగితే, ⅓ భాగము ఆనకట్టకు మాత్రము repairs చేయబడుచున్నది. తక్కిన 2/3 వ భాగము విషయములో, next year floods వస్తే మాత్రము, అది నిలుస్తుందని guarantee ఇవ్వలేమని అన్నారు. దీన్ని వరదల ప్రమాదమునుంచి కాపాడవలెనంటే regulator అవసరమని report లో చెప్పబడింది. Regulator ను కట్టితే తప్ప వేరే విధముగా దీని భద్రతకు హామి ఇవ్వలేమని అన్నారు. ఈ repairs వల్ల లాభములేదని recurring గా damage తగిలే ప్రమాదమున్నదని, ఈ ఆనకట్ట ఈ విధంగా దెబ్బ తింటున్నదని స్పష్టంగా చెప్పారు. కనుక దీని బాధ్యతను, నైతిక బాధ్యతను, ఇతర బాధ్యతలను ప్రభుత్వము, అందులోను ముఖ్యంగా దానికి నాయకత్వము వహించినటు వంటి రాజగోపాలాచారిగారు వహించవలసియుంటుంది. ఈ ఆనకట్ట విషయములో Enquiry Committee యొక్క రిపోర్టు చూచిన తరువాత ఆంధ్ర ప్రజలకు రాజ గోపాలాచారిగారిపైన అనుమానాలు తీవ్రతరమైనవి. అక్కడ జరిగినటువంటి incidents, ఈ యొక్క లోపాలు ఇవన్నీ చూడడంవల్ల ఆంధ్ర ప్రజలు మరింత అనుమానంపడడానికి కారణమైంది. కనుక రాజగోపాలాచారిగారు ఇప్పటికైనా కాస్తా తమయొక్క, చిత్తములోని మలినాన్ని కడుగుకోవడం మంచిదని ఆంధ్ర రాష్ట్రము రాకపూర్వమే, దీనికి కావలసినటువంటి పనులు ప్రారంభించడానికి పూను కొని దీనికొరకై తీవ్రంగా కృషిచేసి, Central Government తో contact చేసు కొని, వారితో స్పష్టంగా ప్రస్తావించి ఈ ఆనకట్టకు శాశ్వతమైన భద్రతను రక్షణను ఇచ్చేటట్లు చూడవలెనని, లేకున్న ఆంధ్ర ప్రజలయొక్క నిందలు వారిపైన శాశ్వతంగా నిలిచిపోతాయని స్పష్టంగా చెప్పదలచుకొన్నాను. అదే నేను చెప్పదలచుకొన్న ముఖ్యమైన విషయము.

“రెండవది, చాలా విచారకరమైన విషయం. ఈ ఆనకట్ట incident లో నలుగురు ఆఫీసర్లు, ముగ్గురు workers చనిపోయినటువంటి విషయంలో, వారి కుటుం బాలకు compensation క్రింద డబ్బు ఏమీ ఇంతవరకు ఇవ్వకుండా ఉన్నారు. వారు చనిపోయినప్పుడు మాత్రము వారి భౌతిక శరీరాలకు అంత్యక్రియలు జరిపేటప్పుడు, సైనిక గౌరవాలతో, చాలా మర్యాద చేశారు. వారి శరీరాలను సమాధి చేసేటప్పుడు నేను అక్కడ ఉండినాను. సైనిక గౌరవాలతో బాగ మర్యాదచేశారు. మేమంతా అందుకు చాలా సంతోషించాము. వారి కుటుంబాలకుకూడ ప్రభుత్వము తగిన రక్షణ ఇస్తుందనుకొన్నాము. కాని అటువంటి రక్షణ ఏమీ ఇంతవరకు ఇవ్వలేదు. వారి కంత గౌరవము ఇచ్చినటువంటి ప్రభుత్వమునకు వారి కుటుంబ పోషణార్థం compensation క్రింద కొంత డబ్బు ఇవ్వవలసిన బాధ్యత లేదా అని అడుగుచున్నాను. వారి కుటుంబాలకు ఈనాటివరకు ఒక దమ్మిడీకూడ compensation ఇవ్వకుండా ఉన్నదంటే చాల శోచనీయమైన విషయం. తమ ఉద్యోగ నిర్వహణలో ప్రాణాలు సైతము అర్పించినటువంటి వారి కుటుంబాలకు ఏలాటి రక్షణగాని, compensation గాని

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ఇవ్వకుండా ఉన్నదంటే, ఈ ప్రభుత్వము ఏరకంగా ఉందో ఆలోచించుకోవచ్చును. ఆ చనిపోయినటువంటి వారిలో, ఆనకట్ట Superintendent విషయము నాకు బాగా తెలుసును. ఆయన Superintendent గా ఉండినప్పటికి, చాలా బీదవాడు. ఆయన చనిపోయేటప్పుడు ఆయన భార్య గర్భవతి. వారికి ఇతర ఆధారమేమి లేదు. ఇల్లుగాని, భూములుగాని, ఇతర ఏ విధమైన property లేదు. There is no property to depend upon. ఆయనకు ఇద్దరు బిడ్డలుగూడ ఉన్నారు. ఈ విధంగా ఆయన భార్య, ఇద్దరు బిడ్డలు ఏ విధమైనటువంటి ఆధారములేకుండా అధోగతిపాలైనారు. ప్రభుత్వము వారి కెలాంటి సహాయము చేయకపోవడం చాలా అన్యాయము. ప్రజా ప్రభుత్వమని అనిపించుకొనే ఈ ప్రభుత్వము వర్తించవలసిన విధానమిదేనా అని అడుగుచున్నాను. వారి ఉద్యోగ నిర్వహణంలో తమ ప్రాణాలనుగూడ sacrifice చేసినప్పుడు వారి కుటుంబాలకు తగిన compensation, రక్షణ ఇవ్వడం జాతి బాధ్యత, ప్రభుత్వ బాధ్యత అయియున్నది. కనుక వారి కుటుంబాలకు ప్రభుత్వము వెంటనే సరియైన compensation ఇవ్వవలసిందని, కృష్ణా ఆనకట్ట విషయంలో, దానికి regulator-road bridge ని construct చేయడానికి వెంటనే పూనుకొని, కేంద్ర ప్రభుత్వాన్ని ఈ విషయంలో contact చేసుకొని, ఈ పని వెంటనే అమలు జరిపేటట్లు చూడవలసిందని ప్రభుత్వాన్ని కోరుతూ విరమిస్తున్నాను.''

* SRI C. SUBBARAYUDU :—" Mr. Deputy Speaker, many things have been said about the Krishna anicut. But I would like to bring one or two points to the notice of the Government. It was stated that as per the 1937 plan a regulator-*cum*-road bridge should have been constructed on the Krishna. I submit that the full particulars should be supplied to us because it was a scheme drawn up in 1937 when neither Nandikonda nor Siddeswaram nor any other project had been thought of. At least those who belong to the Krishna Valley would like to know whether the regulator would restrict the present ayacut or whether any additional ayacut would be allowed. It is because we hear rumours that there will be an additional ayacut of about 3 lakhs of acres under this new scheme of regulator-*cum*-road bridge. If my presumption is correct, I feel the Government will have to consider very comprehensively whether water will be available for the additional ayacut and whether the needs of other areas like Rayalaseema and the upland taluks of Nellore, Guntur and Krishna could be met. If there is surplus water, nobody would grudge to have this new scheme executed because the Krishna delta area commands a rainfall of about 40 inches whereas it is only 15 to 18 inches in other areas. 4-20 p.m.

" As regards the incidents which took place recently, I think they were the culmination of the blunders committed by the previous Governments. When the anicut was constructed, it was only intended to irrigate an ayacut of 5·8 lakh acres. When it was doubled and when, if one peruses the readings of the flow of water on the anicut which varies from 800 to more than 3,000 T.M.C. feet, the dependable flow is about 1,700 T.M.C. feet and odd, no amount of repairs would be a permanent remedy. On previous occasions only temporary repairs were made. Even according to the Enquiry Report, the bed level has gone down by

24 feet in some places and in some places it has gone down by 74 feet also from the crest level. When that is the position, the permanent remedy is to have a regulator and also a road-bridge if it could be done, for which about one crore of rupees will be required. Before taking up the scheme, the Government should let the Members know the details of the 1937 scheme as also the details about the additional ayacut that will be brought under irrigation by the construction of the regulator-*cum*-road bridge. The Government should take up the scheme immediately as it will solve the problem permanently."

Sri P. RAMAMURTHI :—" Mr. Deputy Speaker, it was stated some time back that we were conducting a *post-mortem* examination. But none-the-less it becomes necessary because it has got certain lessons for the future. To-day when we are dealing with the Enquiry Committee Report, I wish to remind the House and through the House our people that we in this part of India have got very great traditions as far as irrigation system is concerned. To-day at a time when a number of foreign experts are being brandished about in this country that their expert knowledge is absolutely essential for this country if it is to have a good irrigation system (The Hon. Sri C. Subramaniam : ' Not in our State.') I said ' in our country ', it is well for us to remember that we in this part of South India have traditions of irrigation system which go back to about 2,000 years. On the Cauvery the Grand Anicut was built more than 1,000 years ago by the great ruler Rajaraja Chola when in the entire world nobody dreamt of such irrigation systems. It is our genius; it is the genius of the Tamil people and it is the genius of the South Indian people who could give giant engineers. So much so, during the last 20 or 30 years we in this part of our country were able to build great dams across the rivers, viz., Mettur Dam, Kannambadi Dam, Sivasamudram, etc., with our own Indian talent. Therefore when we examine this report, I am sorry to say that this report shows a state of affairs in the Irrigation Department which is a blot on the great and glorious traditions of South India. That is why I am particularly saying, and I want to bring it to the notice of the Government, that those people who are responsible for this blot on our great and glorious traditions, must be very seriously dealt with. The way in which the Government are dealing with those people is something which cannot be understood at all.

(At this stage, Mr. Speaker resumed the Chair.)

Sir, let us for example take the personnel of the Enquiry Committee. The Enquiry Committee was constituted with Mr. A. R. Venkatachari, the Chief Engineer, as one of the three members, who himself under normal circumstances would be held responsible for all the things that happened in that department. The moment the personnel was announced in the Press, I took very serious objection to it and I wrote a letter to the Hon. Chief Minister, if I remember right, on the 18th September 1952 pointing out to him that it was very improper to appoint Mr. Venkatachari as a

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member of the Enquiry Committee when Mr. Venkatachari himself had to appear as a witness as some people put it. He stands as an accused; he is the chief person who has to answer the charges whether his handling of the entire department was responsible for the calamities that occurred. Therefore it was an anomalous and strange position for the Government to appoint that person as a member of the Enquiry Committee. It means that the issue had been prejudged by the Government and they had come to the conclusion that Mr. Venkatachari had done nothing wrong and that there was no blame to be attached to Mr. Venkatachari. What the department was concerned with, what the Government were concerned with and what the public were concerned with was to find out whether the subordinate officers on the spot had neglected their duties which they had to do and that neglect caused the great disaster. It was a pre-judging of the issue by the Government when the personnel was announced. Therefore we find that the report which was signed by all the three persons gives a certificate to Mr. A. R. Venkatachari. Obviously Mr. Venkatachari cannot give a certificate to himself. Therefore, in the last paragraph they say—

'The Chairman and Sri Raghavan would gratefully acknowledge the unstinted co-operation they have received from Sri Venkatachari in all aspects of the Committee's work.'

Obviously they could not say that the Committee would gratefully acknowledge the co-operation received from Mr. Venkatachari, and therefore they had to remove his name and use the names of the Chairman and Sri Raghavan. Sir, it is a very strange position. They further say—

'He has given them free access to all parts of the structures and to all the offices under his control. . . .'

Sir, what would be the position of the subordinate officers who were serving under Mr. Venkatachari? Would they dare to come forward and give evidence against Mr. Venkatachari, the Chief Engineer himself? So long as the enquiry was being conducted, certainly the man who was in overall supervision of the entire department must have been removed from his official position so that other people could come forward with all the evidence. (Interruption from the Hon. Sri C. Subramaniam.) The point is that the Government were allowing this gentleman to hold the post during the course of enquiry. Now, let us also go into other matters and find out how exactly this gentleman had neglected his duty. Even according to the report itself the 6 feet shutters were constructed in 1924 and there were periodical damages during the floods in 1927, 1928, 1934, 1940–41, 1943, 1948 and again in 1950. Therefore this was a recurring occurrence. Therefore they point out, 'The fact that damage to the anicut has been a recurring feature ever since the 6 feet shutters were installed would suggest that this tpye of shutters is not suitable for this anicut.' Sir, Mr. Venkatachari has been in charge of one of the most important anicuts in our State under which more than a million acres of paddy fields are being irrigated. This anicut is absolutely essential

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4-30 p.m. for solving the food problem of our country. It is absolutely essential that for the proper solution of the food problem of this part of our Presidency, the Krishna anicut, which is one of the biggest anicuts in South India, should be properly maintained. Unfortunately the repairs of the anicut had not been properly attended to. These periodical risings of water had been a frequent occurrence. If the repairs had been taken notice of even at the first appearance of floods on the 24th May 1952, much of the disaster that had occurred could have been averted. But that was not to be. The persons responsible for the proper upkeep of the anicut had failed to take proper care of the anicut. In fact, it is evident from the report of the Enquiry Committee that the message that a damage had occurred in the anicut had been received by the Head of the Department only on the 9th which is the day the gruesome tragedy had occurred. What is the correct state of affairs? Actually one of the sluices had been badly damaged due to the rising of the water on the 24th May 1952. It has been reported in the Enquiry Committee's report that the Superintending Engineer had sanctioned estimates for filling up the scours completely and for restoring the full section of the apron damaged during the May floods. Even these repairs had been twice interrupted by low floods. When such is the state of affairs what is it that Mr. A. R. Venkatachari, the Head of the Department, not a small department but one of the most important departments, had been doing all along? Can it not be said that he was blissfully ignorant of what all had happened? In fact I knew from authoritative sources that Mr. Kaleswara Rao, a former Member of the Madras Legislature, wrote a letter to the Hon. Chief Minister in May requesting him to carry out immediately repairs to the Krishna anicut, damaged on May 24th. In fact Mr. Kaleswara Rao had written that the damage was a very serious one and unless proper and immediate repairs were done some danger was imminent. I am also told on reliable authority that the Hon. Chief Minister passed it on to Mr. A. R. Venkatachari for necessary action. What is it that this responsible officer did? He wrote back saying that all repairs had been attended to and that there was no cause for alarm. After the receipt of the report of the Krishna Anicut Enquiry Committee, it seems the Hon. Chief Minister specifically asked the Chief Engineer (Mr. A. R. Venkatachari) whether he wrote his previous reply stating that all repairs had been carried out *after* he had gone personally to the anicut and supervised things for himself. On receiving a reply from the Chief Engineer that he did *not* do so, I learn on reliable authority that the Hon. Chief Minister asked him to resign. This is the actual state of affairs. Of course I am speaking subject to correction. I am sorry the Hon. Chief Minister is not present here now to throw further light on the matter.

"Here is a responsible officer of the Government of Madras who is guilty of a serious neglect of his duty. He did not discharge his duties satisfactorily. Still what do we find? He is made a member of the Enquiry Committee. As I have observed on the

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very first day I heard the news I wrote a strong letter protesting against his inclusion. When he is in the position of a witness to be examined for his neglect of duty, what is the meaning in his being appointed a member of the Enquiry Committee? Is it possible that when a Head of Department is conducting an enquiry that all his subordinates would dare to come and expose his faults? Of course I do not have any personal grudge against this officer. Nor do I know him personally. I am told that he ought to have retired even in 1952 but that he had been given extension. I am also told that he is a fat man who could afford to sit only in big chairs. What are we to think of a Head of a Department when he is ignorant of what is happening in his subordinate offices? Contrast this with the conduct of the Superintending Engineer! Being imbued with a high sense of duty this officer inspected the anicut the *very* day he arrived from his camp. As fate destined it, while discharging his duty he met with the gruesome death.

" What is it that the Enquiry Committee say about this officer? It says that Mr. Vepa Krishnamurthi's loss is all the more great in that he had a high reputation for probity and professional competence. The great courage and spirit of self-sacrifice in the cause of public service displayed by him stand out prominently among all the incidents connected with the present catastrophe. The committee wishes to pay its tribute to the splendid efforts put forth by him in trying circumstances and has no doubt that the fact that the officer lost his life in making these efforts will be generously recognized by the Government in due course. ' No doubt golden words ' after the tragedy! But what is the stricture passed on the subordinate officers? The Executive Engineer simply passes on the paper, pushed on to him by the Junior Superintendent, to the Assistant Engineer. The Assistant Engineer is nowhere in the picture. The foreman speaks personally to the Executive Engineer about 9 p.m. on the 4th, but the Executive Engineer sends the Assistant Engineer the *next* day (hon. Members should know that the water will never remain stagnant when it is in floods) to see the damage and does *not* himself go to the spot till the *3rd* day that is the 6th. The Superintending Engineer takes notice of this on the 6th but he for his part being a very disciplined officer goes personally (unlike other officers who do things from their bungalows) on the *very* day to the spot and we find him caught in the tragedy. Let us see the findings of the Enquiry Committee. They observe—

' If steps had been taken before the 6th, it is possible that there would have been no actual breach in the body wall of the anicut and the human tragedy on the 9th September would not have occurred.'

Hon. Members may now have a clear picture of the incidents. The Head of the Department, Mr. A. R. Venkatachari is blissfully unaware of the damage that had occurred. The serious drawback in the working of the Public Works Department is now evident. Instead of his being examined as a witness for neglect of his duty he is made a member of the Enquiry Committee. That is why I say the report is a reprehensible one. The personnel of the

Enquiry Committee ought *not* to have included Mr. A. R. Venkatachari. Persons who are guilty of gross negligence of duty should be properly dealt with.''

THE HON. SRI C. SUBRAMANIAM :—'' Are they to be shot dead? ''

SRI P. RAMAMURTHI :—'' Of course, in extreme cases if the conduct of those officers is so very reprehensible they deserve such extreme penalty also. Let me now come to the work that is to be done immediately.

'' I am told that the Madras Government have now sent a scheme to the Central Government for the remodelling of the entire anicut. It is now eight months since the damage had occurred. It is absolutely essential that the productive resources of our State should be enriched and not allowed to decay. Damage to productive works is more reprehensible than even the worst crime. That is why I say that we on this side of the House would join hands with Government in their request to the Centre to sanction the scheme for the remodelling of the anicut immediately. It is of the utmost importance that the scheme should be pushed through as expeditiously as possible. Let not the present Government leave things as they are because ultimately the remodelling of the anicut is the sole concern of the Andhra Government. So long as the anicut is there it is a great productive source for people of our parts. The rice that is grown in the fields fed by the anicut is there for us always to buy. Let us see to it that the scheme is sanctioned and immediately carried out. Let the Government of Madras lose no time. Let them see to it that the Centre sanctions the scheme with the least possible delay.

'' Thank you, Sir.''

4-40 p.m. * THE HON. SRI N. RANGA REDDI :—'' Mr. Speaker, Sir, I am indeed grateful to the various speakers who have taken part in this debate and put forward the points of view which they hold very dear. But I should submit that my participation in this debate comes at a very inconvenient time. We are on the eve of partition, and accusations have been made freely that so far as this Government is concerned, this Government has been treating this question in a step-motherly fashion. Accusations have also been made that one Engineer being a Tamilian probably has not bestowed the attention that he ought to have bestowed over this question. Not only that. Speakers have gone to the extent of criticising Rajaji, our Chief Minister, even while he held the office of Chief Minister in the year 1937. It was said that so far as the defects are concerned, reports of defects were there from the year 1924 and 1925 and that still nothing had been done to repair the anicut. Sir, I do not want to go into the previous history of the anicut or into the previous history of those people who were responsible for not taking prompt action whenever it was found necessary. But as I said, I am compelled to be on my defence, and I am compelled also to defend the present Government.

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"You are aware, Sir, that the present Government took up office only on April 10th, 1952 and we are here to-day. It is the accusation of these Members that the Chief Engineer should have gone to that place after the 10th of April, i.e., after we took office, because it was a well-known fact that this anicut was giving trouble for ever so many years, and therefore we should have asked the Chief Engineer to go there after the 10th April and seen to it that the defects were repaired and attended to. Let me submit, Sir, that so far as I am concerned, I do not believe in these accusations of an officer being a Tamilian or an officer being a Telugu. It is an evil day for any State when any such accusation is allowed to be made. If however hon. Members want to satisfy themselves by saying that a Telugu officer would have done better . . . (Hon. Members: 'Nobody said it.') Let me submit that one of the members referred to some scheme which was prepared in the year 1937; let me also mention that another Member referred to a scheme which was prepared again in 1943. Well, so far as the scheme which was prepared in the year 1943 is concerned, may I tell the hon. Members that the Member who was then in charge of Irrigation was Sir S. V. Ramamurthi, a Telugu gentleman? The scheme to carry out repairs to the regulator which is said to have been dropped by the Government, was dropped when Sir S. V. Ramamurthi was in charge of the subject of Irrigation. So, no blame is to be attached to any man, whether he was a Telugu or a Tamilian. (Interruption.) I think Mr. Vavilala Gopalakrishnaiah said it. Let me also say that the Chief Engineer, at the time of the accident, Mr. Venkatachari, was not the Chief Engineer in the year 1943, but the Chief Engineer in those days was one Mr. L. Venkatakrishna Ayyar who was re-employed, and also Sri N. Govindaraja Ayyangar; and yet nothing happened in the year 1943. The Chief Engineer who was in office at the time the damage occurred and who was then in service, was not at all responsible. Let me make my position quite clear. I do not believe in officers being Tamil or Telugu; I do not want any accusation being made on the ground of an officer being Telugu or Tamil. I am against . . ."

SRI T. NAGI REDDI:—"It is against the Government administration as a whole that the accusation was made."

* THE HON. SRI N. RANGA REDDI:—"So far as the accusation about the 1937 scheme is concerned, the accusation was against Rajaji. May I remind hon. Members here that in 1937 Sri T. Prakasam was Revenue Member of Government, and he was also a powerful and influential Member of the Government? and why did he not think, or why did not his Government think of constructing a road-bridge then? Why do they want to accuse the present Government which came into office only last year?"

SRI M. HANUMANTHA RAO:—"Sir, instead of straightway replying to the arguments brought forward by hon. Members, the Hon. Minister is unnecessarily trying to deviate from the subject."

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SRI P. RAMAMURTHI :—" Sir, it is very unfair for the Hon. Minister to say all these things. Just because certain arguments have been advanced by certain hon. Members, it is unfair for the Hon. Minister to indulge in such remarks; it is unfair to the Members and it is unfair to the House itself that the Minister should attribute certain accusations as having been advanced by some Members on this side of the House, and to try to mislead the House and to mislead the public also. What actually happened and what some Members actually stated has not been properly understood, and from the reply of the Hon. Minister, people will certainly get a very bad idea. I submit that none of us who have participated in this debate to-day, none of us made it even look or appear that because a Tamilian Engineer was there, this damage occurred, and all that. The Hon. Minister seems to imagine that such argument has been advanced, and it is up to us to refute that idea. I appeal to the Minister, and I would ask for the protection of the Chair from this kind of maligning of the Members of this House."

* THE HON. SRI N. RANGA REDDI :—" Sir, let me make my position quite clear. I would frankly admit that so far as Mr. Ramamurthi, the Leader of the Opposition, is concerned, he never indulged in any accusation of that sort. One of the hon. Members said that Rajaji is always looked upon with suspicion in Andhradesa; he then alleged that there were very many instances which go to prove that Rajaji is not at all in favour of Andhra (Interruption.) I am sorry, Sir, I do not want to yield. I want to submit that so far as this present Government are concerned, no charge can be brought forward against this Government to the effect that because this anicut is situated in Andhradesa, Rajaji has been looking at it and treating it with step-motherly affection.

" Well, Sir, with a view to consider the question whether the damage that has occurred to this anicut was due to lack of attention of any of the officers who were connected with the Public Works Department, a committee was constituted and the report of that committee has been placed in the hands of all hon. Members. Hon. Members have taken the line that the constitution of that committee itself is objectionable, because, according to them, Sri A. R. Venkatachari, the then Chief Engineer, should have been one of the principal witnesses, or according to the Leader of the Opposition, he should have been one of the accused, and therefore, he should not have been appointed a member of the committee. Sir, we all talk with the wisdom of subsequent events, as it were. At the time when the damage occurred, no one said that Sri Venkatachari was responsible for the damage, and no one said that he was guilty. (Interruption by Sri P. Ramamurthi.) Simply because one Member of this House says that a particular person is guilty, we are not going to take it."

SRI T. NAGI REDDI :—" The point is this: none of the hon. Members here have told the House or the Minister that that gentleman should not have been on the committee because he was

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an accused then itself. The point raised by hon. Members is how a man who has been in a responsible position in the Public Works Department and who should also have been a witness—every one knows that he should have been one of the witnesses before the enquiry committee which was appointed to make an enquiry—entered into the committee itself as a member; that is the point raised, not that he was an accused at the time and all that. Let not the Hon. Minister imagine that anybody said he was an accused person then."

* THE HON. SRI N. RANGA REDDI :—"I put it to my hon. Friend Mr. Nagi Reddi. The Leader of the Opposition just now said by way of interruption that he was guilty and would have been an accused, and therefore he should not have been put on the committee. Did he not hear it? Therefore, Sir, nobody raised any objection saying that he was guilty of neglect and nobody also could have imagined that at the time he was guilty. As a matter of fact, let us see what the committee says. The committee does not say that Mr. Venkatachari was guilty. If you are going to say that because Mr. Venkatachari was there as Chief Engineer and therefore the other two members of the committee were not strong enough and so they could not say anything against him, that is a different matter. They say 'look at Sri T. N. S. Raghavan'. Of course, I am very glad they did not accuse Mr. Venkatakrishna Iyer to the same extent as they have accused the other two members. They said that Sri T. N. S. Raghavan has no sympathies at all; he is a Tamilian and he has not got the confidence of the people and yet the enquiry was going on. It is not so. Only people who were competent according to the opinion of the Government and who were competent to go into the question were appointed members of the committee and they have made their report. It may be that certain Members may differ with regard to their qualifications or their views. But, what I would like to submit is that the members of the committee have got particular qualifications and they have experience and there is no reason in saying that the committee was appointed with a view to whitewash the defects of the Public Work Department. They have expressed their views freely and frankly and it is for the Members to accept them or not. If on the other hand, certain other people had been appointed members of the committee and if they had made a similar report, hon. Members would have said the same thing. I do not therefore attach any importance to the criticisms that have been levelled against the constitution of the committee. 4-50 p.m.

"Then, Sir, it has been said that the committee had been very unsympathetic to the witnesses. When they said that this anicut was 100 years old and suggested some remedies, they were being cross-examined. After all, Sir, with regard to the strength of the anicut, it is a technical matter and we ourselves should be careful when suggesting remedies on technical lines. You may say that there is the impression that this anicut is 100 years old and so it may not stand and so on, but when the witnesses cross

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the domain as it were and go through the technical details, they certainly have no right to say that it can stand or cannot stand. Now the objection was to the cross-examination of the witnesses. The committee had a right to collect all available evidence and to take the views of witnesses and to cross-examine them. After all, what is cross-examination intended for, to which my friends object? The charge is, why did they say this and that. I certainly differ from my hon. Friends in this matter. So far as this is concerned, I have been myself a lawyer and when a witness comes to give evidence, he has to be cross-examined to find the truth of the matter. So also the committee had the same right in regard to the witness who appeared before them.

"Then, Sir, my friend, Mr. Vavilala was complaining that he received a telegram on a particular day asking him to be present at 1-30 and that the telegram was received by him at 3-30. Though he himself was there later and his evidence was actually taken—after all mistakes like this do occur—he complains that his evidence was not taken at all. Especially when his evidence was taken even though he appeared late before the committee, he should not complain that the telegram was received at 3-30 asking him to be present at 1-30. So there is not much of a substance in that complaint.

"Now, let me go to the other complaints. It has been stated that if Mr. Venkatachari had not been there, probably there would have been more evidence forthcoming. I do not know what he means by saying that more evidence would have been forthcoming; whether official witnesses would have come forward or non-official witnesses would have come forward. But, so far as non-official witnesses were concerned, I do not think the presence of Mr. Venkatachari on the committee would have prevented those people from coming forward. Quite a number of them came forward. Now, let us examine the position with regard to official witnesses. After all, if hon. Members would look at the report they will find that the findings of the committee have been based not merely on oral evidence but also on recorded evidence, and on documents produced before the committee. It is therefore not a case in which the Chief Engineer could say that this should have happened or that should have happened. But, it is all based on documentary evidence. Therefore, it is wrong to say that the presence of Mr. Venkatachari on the Committee would have deterred any one from coming forward and giving evidence. But, then, the committee say that the presence of Mr. Venkatachari has been of immense help to them in getting very necessary and relevant documents to be produced before the committee. It was for this reason that Mr. Venkatachari was appointed as a member of the committee. Very often, one would find from the experience of committees, that when the head of the department is there, it would be very easy to get at the documents and the evidence of certain people. Otherwise, it is not possible and it will take years and years to get on with the enquiry.

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"Again, Sir, my friends were complaining that the Government were indifferent. After all, Sir, the tragedy occurred on the 9th of September and on the 16th a committee was constituted and immediately, I think, on the 18th or 19th September the committee started their work. They examined a number of witnesses in Vijayawada and gave their report by about the end of October. Therefore, Sir, I submit that so far as the Government were concerned, they have not at all been indifferent. They have been ever watchful, ever alert and have done their duty not only to the ryots but to every one they have done their duty.

"Then, Sir, the complaint was made that knowing that some damage had occurred in May, the Government did not bestow any attention on it at all; that Sri Kaleswara Rao wrote to the Chief Minister complaining that the damage had not been repaired, that the letter was forwarded to Mr. Venkatachari and that he had returned the letter saying that every repair had been done. (Sri P. Ramamurthi: 'Without going there.') Now, Sir, let us come to facts. The facts are, unprecedented floods occurred in the month of May and nobody expected that there would be such unprecedented floods and so the shutters which were erect could not be tripped down. But, as soon as the floods came, some repairs were undertaken and it was also stated that the repairs were carried out satisfactorily. (Sri P. Ramamurthi: 'Who said that?') The proof of the pudding is in the eating.

"Now, Sir, so far as the damage in September was concerned, my friends were complaining that the Government were entirely indifferent in that they did not attend to the defects in the shutters that were noticed in May. Moreover, the scours that occurred in September were not at the places where scours occurred in May. (Sri P. Ramamurthi: 'I can point it out'.) I submit, Sir, that it is the finding of the committee that so far as the repairs were concerned, there was no reason to think that the repairs were not done satisfactorily and properly in May.

"Let me also bring in the name of Sri Vepa Krishnamurthi **5 p.m.** here and I join Mr. P. Ramamurthi in praising him for his high sense of duty. Let me also state that the other persons who lost their lives in the tragedy had a high sense of duty and they lost their lives in the discharge of their duties. The Government have paid a tribute to the courage and spirit of service of these officers. They have also shown their sympathy by granting compensation to their dependents. The widows of those who lost their lives got some pension, and their sons or daughters got some educational concessions. So far as workers are concerned, they come under the Workmen's Compensation Act. The compensation amount has been deposited with the officer concerned. Probably he is making some enquiries and then he will have to pay the amount. That officer is rather slow. I suggest to my hon. Friends to persuade the officer to expedite the enquiry and the payment of the compensation amount.

"My Friends have been complaining that the Chief Engineer did not visit the anicut after May and that if he had visited, he would have ascertained the nature of the damage and so on. The report itself says that Sri Vepa Krishnamurthi was a Superintending Engineer and that he acted as the Chief Engineer of Hyderabad for some time. If he had lived, probably he would have been the Chief Engineer for the composite State. Providence has taken him away. Here is a Superintending Engineer with more or less the same qualifications and experience as the Chief Engineer. He says: 'I have done the repairs subsequently, and there are no further defects to be attended to.' Are we to accept the statement of the Superintending Engineer or should we go on asking him whether he has done this and that? If the Superintending Engineer had noticed any defects, it was his duty to bring them to the notice of the Chief Engineer. He did not bring those defects to the notice of the Chief Engineer. Even presuming for the sake of argument that the Chief Engineer had gone to the place, would he have noticed the defects? No, not at all. Nobody could have noticed the defects at that time. These defects were noticed subsequently. Hon. Members are criticising with the knowledge of what happened subsequently. I am submitting that so far as the Chief Engineer is concerned, he did what all he could and he accepted as true, and believed in, the report of the Superintending Engineer. I do not know whether the Superintending Engineer had any ulterior purpose in not communicating the defects to the Chief Engineer. But the fact remains, according to this report, that the defects were not communicated. If he had communicated those defects, I do not know what would have happened. My Friend Mr. Vavilala Gopalakrishnaiah criticised the Chief Engineer Sri Venkatachariar. I do not know on what basis he criticises except that of his prejudice. I do not want to go into the question as to why he has got that prejudice. Are there any facts to justify his accusation that Sri Venkatachariar did not do his duty? I do not think so. There is no basis except the argument that if he had gone to the spot, he might have found out the defects. Even if he had gone one or two days after the occurrence of the flood, he would not have found out the defects. So long as the flood did not subside, it was not possible to find out whether there were any scours and how deep and wide they were. I do not think the Chief Engineer can be there throughout the year to find out how many scours there were and how deep and wide they were. He has got other duties to perform. There are other officers on or near the spot like the Superintending Engineer, the Executive Engineer and the Assistant Engineer. It is their duty to point out to the Chief Engineer any defects that they noticed. Therefore I submit that the Chief Engineer is not at all to blame, and it is rather the prejudice of my hon. Friend that makes him attack the Chief Engineer."

SRI T. NAGI REDDI :—"The duty of the Chief Engineer is not to sit in Madras."

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* THE HON. SRI N. RANGA REDDI :—" His duty is not to sit in Madras, but to go throughout the State and inspect. (Interruption by Sri T. Nagi Reddi.) The hon. Member had his say, and about half a dozen speakers on his side have spoken, and let him allow me to proceed without interruption.

" My friends have been complaining that Rajaji's Government somehow want to postpone this work because it lies in the Andhra region which is to be separated shortly, and that this Government need not bear the expenditure. As if this Rajaji's Government do not want to protect the interests of the ryots who are benefited by the Krishna Anicut! Let me tell my hon. Friends that I have not heard even a single complaint that even one acre of land, which was getting water from the Krishna Anicut, did not get its usual quota of water after the damage. What is it due to ? It is due to the fact that the moment we came to know that there was damage and the ryots were suffering, we executed the repairs immediately, and every acre of land is getting its usual supply of water. Therefore I submit that the charge that we are neglecting or postponing the construction of the road-cum-regulator bridge is not at all true.

" Lastly, I come to the argument that if this road-cum-regulator bridge had been sanctioned earlier, we could have proceeded with the work and so on. Do those who suggested this imagine that the work could have been completed in May 1953, if it had been sanctioned one or two months earlier? I do not think they are so ignorant. Even if it has been started, the work will take three or four years for completion. Let me also say that no one is suffering by not taking up the road-cum-regulator bridge scheme immediately. Repairs are going on. Every acre of land is getting its quota of water, and the ryots are not suffering any loss.

" My friend wanted information as to how much money we have spent. Till 31st March 1953, this Government have incurred an expenditure of Rs. 18,91,390, and the amount provided in the budget is very nearly Rs. 48·87 lakhs. In the budget for 1953–54, a sum of Rs. 24·56 lakhs is provided for repairs. Therefore, hon. Members need not apprehend that no amount has been provided in the budget. My surprise is that they do not even understand that if no provision is made in the budget, no money could be spent also. They are seeing with their own eyes that money is being spent and work is being done. And yet their complaint is that no provision is made in the budget! If they would not 5-10
take me amiss, may I request those hon. Members, who do not find p.m.
the provision in the budget, which they think ought to have been made, to go to the Finance Secretary and ask him, ' please show us where the provision has been made.' I am not giving them any sort of advice here, but I say that the Finance Secretary is the competent man to show them the provision. Hon. Members have been relying on statements alleged to have been made by the Executive Engineer that the present anicut would not stand, etc.

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I do not know whether I have to give much credence to such statements at all. Anybody might say anything. We say that this anicut has been repaired, so much money has been spent, and the repairs that are necessary have been executed. So far as the bridge is concerned (the road-cum-regulator), we have done all we can. We have sent the scheme to the Centre for sanction. Hon. Members opposite have friends in Delhi, and they can through the help of their friends in Delhi have the scheme sanctioned expeditiously. They may take the assurance that the estimates have been sent to the Central Government. Let me also tell hon. Members opposite that this Government are not at all indifferent. They always want to protect the interests of the ryots. They are always alert and watchful, and they have done their best. Therefore, I submit that no charge can be laid against the present Government so far as this damage to the anicut is concerned." (Ministerialist Cheers.)

SRI M. HANUMANTHA RAO :—"Will the Hon. Minister please tell us who is responsible then? Is God responsible for all this havoc?"

* THE HON. SRI N. RANGA REDDI :—"I believe the hon. Member has read the report of the Krishna Anicut Enquiry Committee. If he had read it, he would have known who is responsible."

SRI T. NAGI REDDI :—"On a point of information, Sir. Is it not true that those who are responsible for the construction of this dam have given out a certain number of years as the life of the dam? If so, does it not mean by that that we must be prepared for breaches or some other trouble that might occur at the end of the stipulated period? Did the Government take note of the fact that the bridge was on its last days according to the engineers who constructed the dam?"

THE HON. SRI N. RANGA REDDI :—"I do not know wherefrom the hon. Member got this information."

* SRI VAVILALA GOPALAKRISHNAIAH :—"I wish to make a personal explanation, Sir. Hon. Members feel that I have said something about Sri Venkatachari and so on. I am not accusing any Tamilian, but unfortunately, Sri Venkatachari, who did the things, happens to be a Tamilian. I do not say anything collectively against Tamilians. I have no prejudice against anybody except against people who do evil to others, whether they are Tamilians or Telugus. I feel that Sri Venkatachari, as the responsible head of the Government department, ignored everything. I do not accuse the Hon. Minister because he never thought about this. I do not mean anything wrong against Tamilians, but, unfortunately, . . ."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—"Mr. Speaker, Sir, when I rose to speak, I was not allowed and I obeyed your ruling. But the hon. Member under cover of personal explanation is going on speaking."

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MR. SPEAKER :—" Is the hon. Member Sri Vavilala Gopalakrishnaiah withdrawing his amendment?"

* SRI VAVILALA GOPALAKRISHNAIAH :—" I request that my amendment may be split up into two parts."

MR. SPEAKER :—" That is not possible. I am going to put the hon. Member's amendment to the vote of the House. The question is—

' *Add* the following at the end :—

" And on such consideration the House is of opinion that the Chief Engineer, Sri Venkatachari, was responsible for the events of May 1952, and was guilty of negligence. It also recommends to the State Government to undertake the construction of the road-regulator bridge immediately." ' "

The amendment was put and lost.

SRI M. LAKSHMANASWAMY :—" Sir, my doubts are not cleared. I have put some questions for clarification."

MR. SPEAKER :—" I am now going to put the amendment of the hon. Member Sri M. Lakshmanaswamy to the vote of the House. The question is—

' *Add* the following at the end :—

" and on such consideration the House regrets to note—

(i) the failure of the Government to take necessary steps to begin the road-bridge-*cum*-regulator work by March 15, 1953;

(ii) the failure of the Government to ensure regular water supply to Krishna delta ryots in the year 1952–53;

(iii) the failure of the Enquiry Committee to take note of the Krishna Collector's report at the time of damage; and

(iv) the failure of the Government to take note of the inspection reports of the Chief Engineer after the damage in May 1952." ' "

The amendment was put and lost.

SRI C. V. K. RAO :—" Sir, I am not withdrawing my amendment."

MR. SPEAKER :—" I am putting the amendment of the hon. Member Sri C. V. K. Rao to the vote of the House. The question is—

' *Add* the following at the end :—

" and on such consideration this House is of opinion that the Government had erred in appointing Sri Venkatachari as a member of the Committee, who should have been a witness before the Committee to answer the question of neglect and defect in the operation and maintenance of the anicut." ' "

The amendment was put and lost.

MR. SPEAKER :—" I am now going to put the Government motion to the vote of the House. The question is—

'That the Krishna Anicut Enquiry Committee Report be taken into consideration.' "

The motion was put and carried.

(2) THE PUBLIC ACCOUNTS COMMITTEE REPORT ON THE ACCOUNTS FOR 1948–49.

* THE HON. SRI C. SUBRAMANIAM :—" Sir, I move—

'*That the Report of the Public Accounts Committee on the Accounts of the State of Madras for the year* 1948–49 *be taken into consideration.*'

Sir, we are beginning the second post-mortem examination this afternoon. The first post-mortem at least had some subsisting interest. But this post-mortem examination relates to accounts of 1948–49—four years before. I am sure hon. Members will realize that whatever might be the merits of the post-mortem examination, and whatever might be the lessons such post-mortem examination will teach us for our future guidance and conduct, going into the details of the report will not serve any useful purpose at present. Therefore, I submit that this report may be considered formally, and the motion accepted. Because, this is a formality which is required by law."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" Sir, the Hon. Minister has moved that the accounts for 1948–49 be taken into consideration. I want to know when will the report for the later years be placed before the House."

MR. SPEAKER :—" I want to know how much time Members of the Opposition want to speak on the accounts for 1948–49."

SRI P. RAMAMURTHI :—" Sir, the hon. Member Sri K. Krishna Rao, after moving his amendment, will speak for about half an hour. There are only two Members on our side to speak."

MR. SPEAKER :—" The hon. Member Sri K. Krishna Rao will speak for half an hour, and the other hon. Member will speak for about 5 minutes."

* SRI K. KRISHNA RAO :—" Sir, I move the amendment standing in my name, namely—

'Add *at the end of the motion the following* :—

" *and particularly the remarks of the Committee under the head* '*State Trading Schemes*' (*paragraph* 13, *page* 10) *and consider the urgent need to constitute a Committee composed of the members of the Legislative Assembly to examine the accounting and results thereof of the*

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State Trading Schemes, and to make suitable recommendations to ensure correct, regular and systematic, accounting of various commodities dealt with under the Schemes.'' '

Sir, the Public Accounts Committee have made some remarks on the basis of the audit report for 1948–49. I would just take out from the Public Accounts Committee report the following paragraphs. ' With reference to these remarks of the Accountant-General, the Food and Agriculture Department have stated that the comment of the Accountant-General taken by itself though adverse in nature does compare favourably when considered along with the observations made by him in respect of the accounts of previous years that while in previous years there were wholesale omissions to maintain accounts and registers in several districts in recent years, the defects pointed out are not of a serious character '. etc. Now, the point here is that the accounts have not been maintained. That is the biggest scandal about this thing. Sir, 5 20 p.m. you will please understand the seriousness of the position when I mention it to you that in the State Trading Schemes we have sunk about Rs. 65 crores from 1942–43 up to 1949–50. I have got the Appropriation Accounts given by the Accountant-General. They are only up to 1949–50. From them, you will see that one year's income of the Madras State, namely, Rs. 65 crores, has been invested in State Trading Schemes. What about our losses? I mean absolutely irrecoverable losses, losses which are beyond any hope of being recovered. We find that about Rs. 15 crores have been lost up to 1949–50. They have been lost for ever. Apart from this, a number of items are being written off every year. I shall just read out to you two or three such items. The following are the particulars of items written off :—

Year.	Article.	Value written off.
(1)	(2)	(3)
		RS. LAKHS.
1948–49 ..	Rice	1
1949–50 ..	Do.	2
1948–49 ..	Wheat and wheat products ..	1
1949–50 ..	Do.	1
1948–49 ..	Other grains (that is, millet and things like that).	8
1949–50 ..	Other grains (that is, millet and things like that).	3

'' Then, according to the Report of the Public Accounts Committee, the officers appearing before it have been saying that there has been some improvement in the accounts of 1948–49. Is that really so? If you take the Appropriation Accounts for the year 1949–50 issued by the Accountant-General, you find practically the

very same kind of defects pointed out in 1948–49 accounts reappearing in the 1949–50 accounts. Apart from that, very strange things have come to light. For example, with regard to Rice Trading Schemes in 1949, the following are the remarks made by the Accountant-General :—

'The closing stock is reported to have been verified. Shortages of 1,602 maunds of paddy and 3,310 maunds of rice were noticed of which the cost of 216 maunds of paddy has been written off. Regularization of the balance of the shortages detailed below is awaited :—

2,293 maunds of rice relating to 1944–45.'

"I may state, for the information of hon. Members, that 2 maunds make an ordinary bag. That means regularization of about 1,000 bags in 1944–45 is awaited. In 1945–46 it becomes eleven times that, that is, 22,689 maunds of rice. We have now the accounts of 1949–50. The adjustments or explanations for these shortages have not been furnished. That is the biggest scandal of this Government. The tendency of shortages goes on increasing. The shortage of 22,689 maunds in 1945–46 becomes 27,925 maunds of rice in 1946–47, and 18,362 maunds of paddy and 52,709 maunds of rice in 1948–49. I should like to know what improvement there has been in 1948–49 accounts. The officers appearing before the Public Accounts Committee say that there is an improvement in the accounts. But, from this, it looks as though the shortages began from 1944–45. I may inform the House that the scheme was in operation since 1942–43. From 1942–43, one will be surprised to know, accounts were not being maintained while there was a clear order that accounts should be maintained. The Accountant-General prescribed certain forms of account to be maintained for the State Trading Schemes. He wanted not only annual accounts but monthly accounts to be maintained. He wanted to have monthly returns of profit and loss. Now, these accounts were not maintained. A peculiarity was that the Accountant-General was not in charge of this Accounts Department. It was in the hands of the Civil Supplies Department, which is a part of the Board of Revenue. The Board of Revenue is a State within a State. That is the tragedy of the whole system of administration. The Board of Revenue is not responsible to anybody, because it is a statutory body. It is something like one of the old Nawabs of the East India Company. It is something like Warren Hastings or Clive who became overrich. In the Civil Supplies Department things have gone on in much the same fashion because there was no account at all. I should like to know whether we are living in 1953 or in an era of 'no ledgers and no account books'. I shall presently read out to you for your own information the remarks of the Accountant-General on the 1944–45 accounts. The position was that the 1943–44 accounts have not been given at the end of March 1944. What happened was that they were not given at that time but were given in December 1945. What was the state of accounts?

It is said, 'The initial accounts . . .' This refers to non-delta rice. Then, what becomes of the delta rice? There is absolutely no account for it. The whole thing was shelved. My point is why there is no mention about delta rice. Much of the rice for civil supplies was got from Krishna, East Godavari, West Godavari and Nellore. What happened to that rice? We do not find any reference to it here. With regard to this, I shall just read out to you the remarks of the Accountant-General. They are as follows :—

'The initial accounts were checked by the Chief Auditor of the State Trading Schemes and his Report discloses that the initial accounts were not properly maintained, that the audited figures were collected mostly from the files and registers that were available at the sub-centre.'

My point is that the reconciliation of stock accounts for 1944–45 has not been completed as yet. From 1942–43 we have been sinking money in the rice trading scheme. Where are the accounts for the money spent? The remarks of the Accountant-General reveal that the accounts were just fabricated out of files and registers. This shows to what depth of behaviour we have sunk. We are forced to manufacture accounts not from ledgers and day-books but from files and registers. In this connexion, I would like to tell you, Sir, that it was one of the greatest of misfortunes that during the period of the war when there was the biggest amount of loss to the Government through the Civil Supplies Department, we did not have a Ministry. I would tell those who talk about the work of this Assembly that we will never allow such things to take place and such a report being presented. Because there was no Assembly here they did not prepare accounts in time. This only shows and also reinforces my argument that there is need for a Committee of the Legislative Assembly to go into the question. That is what I am driving at.

5-30 p.m.

"Then, Sir, with regard to the stock of rice remaining at the end of each year, they say that stock verification was made in bags and not by weight. It means that every bag was taken as containing 166 lb. The result was there had been a number of lapses. Now we have got the accounts of 1943–44, 1944–45 and 1945–46. But the accounts of 1946–47 have not been given here and we do not have them up to 1949–50."

THE HON. SRI C. SUBRAMANIAM :—" With regard to 1946–47, it has been finally ratified by the Legislative Assembly. Now what is the use of trying to reopen accounts which have been ratified by the Assembly?"

MR. SPEAKER :—" The Assembly which met in the subsequent year ratified all those accounts."

* SRI K. KRISHNA RAO :—" It has not ratified the missing items."

MR. SPEAKER :—" When the Assembly ratified the accounts, it must have taken all these items into account."

* SRI K. KRISHNA RAO :—" My point is that the Accountant-General has said that from 1944-45 there has been no such thing as reconciliation of accounts. In that particular respect what I am going to say or have said is quite relevant. It is said that some crores of rupees—not one single crore of rupees—have been lost in the rice scheme. Because it is a large sum of money that has been sunk here, because there are serious losses and because there has been a laxity of control on the part of the Government, I insist that the Government should agree to the appointment of a committee to go into the whole case. Nearly 64 crores of rupees are involved and this is no mean sum.

" Then, there are many other things. For example, rice is procured from the ryots and the Government give this rice in one instance to the quota holders and in another send it to their own depots. From the accounts, it is found that there is no reconciliation between the stock of paddy that is procured from the ryots—or even rice—and the quantity of rice that reaches the godowns of the Government. Suppose 100 puttis of rice have been procured. Whether the same 100 puttis reach the godown or only 50 puttis reach it is not clear at all. This is the case from 1944 up to this date. There is no record to show this and the Accountant-Gneral says that things have been going on like this.

" Then there is a major defect in the accounts. These accounts are audited not by the Accountant-General but by the Examiner of Local Fund Accounts. What is the principle involved in submitting the accounts of the State Government to the Accountant-General? The principle is that the Accountant-General is responsible to the Government of India and the Auditor-General and, therefore, discharges his duties without any kind of fear of favour. But in the case of State trading schemes, it is not the Accountant-General but the Examiner of Local Fund Accounts that audits the accounts. Why? We know the influence of the members of the Board of Revenue. They are all in all. In fact, they are most senior officers of the I.C.S. and can do or undo the destinies or the prospects of any particular officer. Therefore, this officer cannot point out very serious defects in the accounts particularly of the Civil Supplies Department which would reflect on the administration of the Civil Supplies Commissioner. So, the accounts, to the extent they are given here, have not been in the hands of the Accountant-General. It is said that these accounts are test audited. Sir, there is difference between test auditing and actual auditing. Actual auditing takes into account all receipts, etc. Test auditing, on the other hand, consists in checking one figure here and another figure there and so on. The whole system of accounting with regard to State Trading Schemes shows that there is any amount of laxity of control and losses incurred. There are a number of items showing shortages

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of stocks. I should like to know what steps the Government are going to take to see that the tax-payer's money is properly accounted for. This is the most elementary duty of any Government of any party, whether it is Congress or Communist. We must first of all be satisfied that money is not thrown into the Bay of Bengal. That is all that I want. There is another aspect to the question. Certain prices have been fixed for certain varieties of paddy such as good kind of paddy should be paid so much and bad variety should be paid a different price. Now from the accounts it is very clear that the price fixed for the first sort has been paid for the second sort paddy and so on.''

* THE HON. SRI C. SUBRAMANIAM :—" What is the use of generalising the issue? If you bring to the notice of the Government concrete instances, then I can answer. There is no use of simply saying that first sort price has been paid for second sort stuff. Such general observations will not help to solve the difficulty. If after bringing to our notice specific instances, we do not act, then take any action you like, accuse us as you like. But I am not prepared to act on such general statements.''

* SRI K. KRISHNA RAO :—" I am not making any over-statement of facts. I am quoting from the Accountant-General's report.''

THE HON. SRI C. SUBRAMANIAM :—" Read the portion where it is said that first sort price has been paid for second sort paddy.''

* SRI K. KRISHNA RAO :—" Refer to page 16 of the Appropriation Accounts of 1948–49. It is said—

'Omission to enforce the special cut in prices in respect of purchases not complying with the prescribed standard specifications has resulted in overpayment of Rs. 15,311.'

This amount has been written off by the Govrenment.''

THE HON. SRI C. SUBRAMANIAM :—" Does it mean that first sort price has been paid? ''

* SRI K. KRISHNA RAO :—" It only means that. The Accountant-General speaks in a technical way. If you want further proof, I will show it from other accounts also.'' 5–40 p.m.

MR. SPEAKER :—" The hon. Member will have another opportunity to discuss the 1949–50 report. We are now discussing the 1948–49 report.''

* SRI K. KRISHNA RAO :—" My point is that there are a number of defects which are of a general nature. These have been brought to the notice of the Government by the Accountant-General and not invented by me at all. I find all these defects pointed out in the reports themselves. They are printed reports and I think these reports must have been made available to the Government.''

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MR. SPEAKER :—" The hon. Member has already taken 25 minutes. He should finish within five more minutes."

* SRI K. KRISHNA RAO :—" Therefore, what I say is, there has been any amount of laxity. I should like to know what we should do in regard to these matters and what is going to be the future of the State Trading Schemes? We are all anxious that these schemes should get on and something should be done to check this laxity of control. What is now happening is, there is no control and the whole thing is let loose. Supposing in a particular co-operative society, there are no proper vouchers for about ten items of expenditure, what would the Government do? Drastic steps would be taken by the Government. I have known instances where for such mistakes, societies have been superseded. Take the case of local boards also. If one-hundredth of the defects that you notice in the accounts of the Government were noticed in the accounts of the local boards, the local boards would be superseded and the presidents prosecuted and a big fuss will be made about them. My Hon. Friend Sri Manickavelu Naicker is fond of saying that the officials are an epitome of virtue and the non-officials the epitome of vice and that therefore the non-officials concentrate in themselves all vice and the officials all virtue. Now if that be the case what have the Government done with regard to these defects pointed out by the Accountant-General? If an enquiry were to be made into these things, it would not be surprising to find that most of the officials who were responsible for these defects had got adequate promotions! That is the way in which Government service is working. Therefore I think, we hon. Members on this side of the House as well as on the other side—I do not mean to say this is a party question; it is a question concerning the dignity of the Assembly—have a right to know what steps were taken by Government to rectify defects. We find Government funds have been wasted, they have not been properly accounted for, the whole thing has been mismanaged and is in a mess. I have just referred only to one question, namely, rice. I have not touched that part of the Trading Scheme under the control of the Director of Agriculture. That is a big question by itself. So also is the case of wheat and wheat products. There are many other things. The report shows that supervision is lax. It looks as though nobody is there to find out the causes even when large stocks are unaccounted year after year. From the year 1942–43 there have been shortages. The whole trouble was those were Advisers' days. They did not care for these things. But when a new Government came to power, and that too a Congress Government, whether it be good, bad or indifferent, they had an Assembly and the Government had to come before the Assembly with the accounts. Till that time the accounts were not looked into. Let the bag be quarter full, or half full or not be full at all, they would say : ' There are so many bags; multiply that by 166 lb. that is the total stock.' That was the way the Advisers managed the accounts. But now it is

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different. The Government is responsible to the Assembly. Therefore we have a right to know what Government propose to do with all these shortages. Are they going to write them off? One day or other Government will be faced with that problem. The whole thing began and is pending from 1942–43. In this connexion I may be permitted to inform the Hon. Minister for Finance that the 1942–43 rupee is equivalent to six 1952–53 rupees. Let him just remember that. There has been so much of loss. There has been mismanagement. There has been no check at all on the State Trading Schemes. What are the Government going to do with these things? Let us know where we stand. The Hon. the Finance Minister said there was a deficit in the Budget. It is a matter of surprise to me how there is only such a small deficit when we have lost not one or two but 15 crores of rupees. If we take into account other irrecoverable losses and the stocks to be written off, we do not know what our losses would amount to. What are we to do with these things? There has not been any co-ordination. The whole thing has been allowed to go as it is from year to year. From the year 1945–46 the accounts have not been adjusted. The same defects and discrepancies are there still. My suggestion is that the Legislative Assembly must constitute a committee and the committee must find out what has happened and what has got to be done. Another suggestion of mine is that the auditing of these State Trading Schemes should be left to the Accountant-General and not to the Examiner of Local Fund Accounts. The Examiner cannot in the nature of things discharge his duties and functions effectively as the Accountant-General can. The Accountant-General is a Government of India official. Another thing, the Government should submit a report of what has become of these shortages, how much could be recovered and how much has got to be written off, and who were the persons responsible for the shortages. The Government had given definite instructions regarding the running of these schemes, the preparation of accounts and all that. If the Government servants did not carry out their duties properly for the past three years, I should like to know whether this is a Government or whether this is anarchy. Year after year the Accountant-General has been pointing out that this has not been done, that account has not been maintained and so on. In spite of this, the defects continue to be the same. We are dealing with people's money and it cannot be allowed to drift like this. Therefore we have to take up this question seriously and constitute a committee to go into the whole affair and find out where we stand and what we should do in the future. We do not want to liquidate these State Trading Schemes which deal with such scarce commodities, like rice and serves a public need. So also with regard to wheat and wheat products, chemical manures, iron implements and all that. My idea is that these State Trading Schemes should be encouraged and developed on right lines. There should be no scope for such kinds of fraud, for such kinds of lapses which are very serious and which are really a blot upon the administration

in a State like that of Madras which has always established a tradition for good administration. For these reasons, Sir, I commend the amendment for the acceptance of the Government."

SRI P. RAMAMURTHI :—" Sir, in seconding the amendment, I would like to point out one thing. It is not as if this is just a post-mortem examination. It has been brought to light that so much money belonging to the public has been mishandled by certain officers. Whatever be the changes in the Government, we have to realize that the officers are continuing to be in office. If really they mismanaged the funds of the public, then certainly we have got to see how these things happened and if the officers are found guilty of serious offences, mismanagement, swindling or some such thing, we have to take action against them. This is the purpose of the discussion on the Public Accounts Committee Report. The Committee always goes into the accounts of previous years and later places before the House a report. We have to take action on the report of the Committee. Whatever be the changes in the Government, the Government servants continue in service and we have to take suitable action to see that the personnel of the services is above corruption, that they keep to certain standards of public conduct with regard to the expenditure of public funds. It has now been brought to the notice of the Government by my hon. Friend Sri Krishna Rao that nearly 15 crores of the hard earned tax payers' money have been thrown away, wasted or misspent under the State Trading Schemes. If such a huge loss has occurred then certainly we have got to go into the whole matter."

5-50 p.m. SRI C. V. K. RAO :—" Mr. Speaker, I move the amendment standing in my name—

'Add *at the end the following* :—

" *and that the recommendation of the Committee (page 15) that there is no need to present demands to the Legislative Assembly to cover the excess over the voted grants during* 1948-49 *be rejected.*" ' "

While moving my amendment, I do not want to make a very long speech, not even a moderate speech. But I would like to draw the attention of the Hon. Minister for Finance that he is dismissing this Public Accounts Committee Report in a very casual way. I wish he had given much more importance to it. Sir, the Public Accounts Committee is a Committee constituted by the Assembly to keep a check over the way in which the Government have spent the moneys that have been voted by the Assembly. Now, the Hon. Minister for Finance says that the 1948-49 accounts are being presented to the Assembly and they are out-dated and therefore he wants us to dismiss it in a casual way. That it is outdated is his fault. He should be presenting now the 1950-51 accounts. The Appropriation Accounts for the year 1948-49 along with the Public Accounts Committee Report should have been presented last year itself, but he did not do it. Whatever may be the reasons, we

are not bothered about the Hon. Minister himself. We are bothered about the Finance Department which has got to conform to certain rules and which has got to satisfy the House that the Government are spending money as voted by the House. That is why the Public Accounts Committee is constituted to go into those details. But, now the Public Accounts Committee which has been constituted for the purpose comes out with a recommendation that there is no need to present demands to the Legislative Assembly to cover the excess over the voted grants during 1948–49. Sir, if this goes unchallenged by this House, surely it will be a very serious blunder and every one of us would be committing a breach of the Rules of Procedure of the Madras Legislative Assembly. All excesses must be passed by this House and we have got to consider the Report. Mr. Subramaniam wants us just to casually dismiss that. Sir, if this goes unchallenged, surely we will be answerable to the electorate and we will be setting a very bad example in allowing the Finance Department to go unguided. I only want to say that the Hon. Minister cannot so easily dismiss these matters. These are all checks put on the Executive to see that moneys are spent properly and for that purpose the reports are placed before the House and even if one Member sits here, it is his responsibility to criticize and advise the Department to supervise properly and not merely misguide the House. With these remarks, I move my amendment."

* SRI VAVILALA GOPALAKRISHNAIAH :—" Sir, I second the amendment moved by my hon. Friend Sri C. V. K. Rao. The Hon. Finance Minister asked us to conduct a *post-mortem* examination. For the *post-mortem* examination, we have to dissect the body, dissect every limb to see how it is and what parts it contained. We have therefore to weigh every issue. If we go through the accounts, the accounts are not limited; the money is not limited; but the time is limited. Every Hon. Minister says: 'You go to the Finance Department and enquire'; it is better if they allow us to go to the Finance Department. But I know the Finance Department will say 'Everything is confidential; You please go to the Assembly'. Now, in the Assembly we find excess expenditure under some heads and savings under some other heads. For instance, the entire provision of Rs. 1,63,900 under '81-A. Capital Outlay on Electricity Schemes—I. Hydro Electric Schemes —Post-war Reconstruction—E. Ceded Districts Scheme—d. Suspense—London Stores' was left unspent. In respect of Vijayavada Thermal Scheme also, there was a saving of Rs. 5,90,827 out of a total appropriation of Rs. 7,45,000. I can show many such discrepancies. In another case, the reasons for saving under the head '50. Civil Works—Works—b. Original Works—Communications—I. Ordinary Areas—Post-war Reconstruction' were: 'The savings represent the total of individual savings under different items of works and were due to unavoidable circumstances, such as non-completion of land acquisition, non-receipt of tenders, non-adjustment of cost of materials, non-receipt of steel and cement, want of technical sanction to estimates, late settlement of tenders

and postponement of works. These factors could not be foreseen in time'. Sir, that is the whole crux of this Report. If I go like this, the dissection will be very stinking. Sir, the amounts provided for in the budget must be carefully spent. But the Government spend more and come with a Revised Budget to the Assembly. When the accounts come to the Assembly for scrutiny, those who voted for the amounts are not here and they are nowhere. Now we are asked to accept them. While a certain amount was intended to be spent for some purpose and the Executive spent it for some other purpose, Government say, 'Please accept it'. How unfair and unconstitutional it is, Sir? The absurdity of the Constitution is seen here."

MR. SPEAKER :—"That is the case everywhere. In England the Appropriation Accounts come up for discussion after two years."

* SRI VAVILALA GOPALAKRISHNAIAH :—"The constitutional difficulties are there. But what I wish to represent to the Government is that whenever they present any memorandum or budget figures, they should not say that there is a surplus or saving nor should they put forward the usual explanation of 'unavoidable circumstances', etc."

* THE HON. SRI C. SUBRAMANIAM :—"Mr. Speaker, I would first answer the charge that the Public Accounts Committee Report has been brought for discussion at a very belated stage. Only a few dates will convince the hon. Members that nobody is to be blamed for this state of affairs. The accounts for 1948–49 have got to be finalized and then submitted for audit by the Accountant-General. The Appropriation Accounts for 1948–49 were finalized and submitted to the Government on the 4th June 1951 by the Accountant-General and the Auditor-General. If we look at the Appropriation Accounts and the Audit Report for 1948–49, we will find that it is dated 'New Delhi, 4th June 1951'. After that date, the Public Accounts Committee appointed by the Assembly of this State has scrutinized that Report during February 1952 and submitted their report in March 1952. Of course, the previous Assembly could have discussed it. But that was an Assembly which was to lay down its office very soon and so it was thought that the succeeding Assembly could discuss it. Sir, this was on the agenda for every sitting of this Assembly. But unfortunately, because this related to 1948–49, with the concurrence of the Leaders of Opposition who were functioning then it was being postponed from time to time and due to pressure of time and because it cannot be postponed further, it had to be taken up now. Neither the Finance Department nor anybody else is responsible for the delay. It is due to the circumstances I mentioned already that it is coming up for discussion now a year later. It could have been discussed at least in the previous year, i.e., April 1952. But it could not be done because this was a new Assembly at that time and we could not take it up as we had other important work to attend to.

"With reference to the charge of the hon. Member Mr. C. V. K. Rao that the Public Accounts Committee had been purposely misled and that they had been asked to make a recommendation that Demands to cover the excess need not be presented to the Legislative Assembly, I regret to say that the hon. Member had not gone through the report of the Public Accounts Committee thoroughly. Had he done so, he would not have made this charge. I would request him to read page 41 of the Report of the Public Accounts Committee. Originally the Government of India asked us to present Demands to cover the excess under voted grants based on the Report of the Public Accounts Committee. Later on the Government of India in consultation with the Accountant-General and the Auditor-General after careful consideration came to the conclusion that this procedure need not be adopted." 6 p.m.

SRI C. V. K. RAO :—"On a point of order, Mr. Speaker."

THE HON. SRI C. SUBRAMANIAM :—"I know it is not a point of order."

MR. SPEAKER :—"The hon. Member says it is a point of order."

THE HON. SRI C. SUBRAMANIAM :—"All right Sir, let us hear him."

SRI C. V. K. RAO :—"The Hon. Finance Minister is not correct in misquoting me, Sir. I shall read for him what I had actually said . . ."

MR. SPEAKER :—"That is not a point of order. The Hon. Finance Minister may now continue."

* THE HON. SRI C. SUBRAMANIAM :—"You, Mr. Speaker, may be well aware of the fact that the regularization of the excess expenditure by the Legislature by voting on excess grants was made only under a long established convention under rule 132 of the Madras Legislative Assembly Rules issued under section 84 of the Government of India Act, 1935. But after the passing of the Constitution the position is different. Articles 115 (1) (*b*) and 205 (1) (*b*) of the Constitution of India, however, provide in specific terms for the regularization of such excess expenditure. But these provisions could not strictly be applied to the excess expenditure relating to the periods prior to 1st April 1950. The question arose therefore as to how the excess expenditure relating to the previous years 1946–47, 1947–48, 1948–49 and 1949–50 should be regularized. So far as the expenditure for the year 1946–47 was concerned, the usual procedure of regularization by the Legislature was followed in 1949. The Government of India have since decided that it would be best to waive the formal regularization of these excesses by the Legislature by voting on demands. In reaching this conclusion, the Centre took into account the fact that the real purpose of the voting on such excess grants was to give the Legislature an opportunity to debate on the irregularities which resulted in the

excesses, and that the Legislature would still have this opportunity, apparently while considering the Report of the Public Accounts Committee on the Appropriation Accounts of the year concerned. The Government of India have also stated that the Appropriation Accounts and the Comptroller and Auditor-General's reports thereon will be prepared in the usual manner, and will draw attention to the excesses normally requiring regularization.

" Accordingly the Public Accounts Committee came to the conclusion in accordance with the recommendation of the Government of India that no demands need be moved in the Legislature to cover the excess over voted grants for the year 1948–49. Therefore, hon. Members may clearly see that the allegation of Mr. C. V. K. Rao that the Public Accounts Committee had been misled is clearly wrong.

" So far as the present position is concerned it is really different. We are now governed by the specific Article, viz., Article 205 of the Constitution which provides in specific terms for the regularization of such excess expenditure. So far as the accounts of 1947–1948 was concerned, the then Government came to the conclusion in spite of the recommendation of the Government of India that it would be better if the old method of getting a direct vote of the Legislature on the excess expenditure of the accounts of 1947–48 was adhered to. Accordingly the vote of the Legislature was obtained on the excesses over the voted grants for the year 1947–48 in March 1951. The recommendation of the Public Accounts Committee was requested in regard to the presentation of demands to the Legislative Assembly to cover the excesses over the voted grants during 1948–49. Their recommendation that demands need *not* be moved over the same is now before the House. This I have already referred to in the beginning.

" Hon. Members should also realize some of our practical difficulties. The hon. Member Sri Vavilala Gopalakrishnaiah characterised our preparation of accounts as a ' mis-conception '. For example let us take the head ' Land Acquisition '. We allot a certain prescribed sum for the same. Hon. Members should know that these land acquisitions should be done by the district authorities. Usually land acquisition proceedings take a long time. Our financial year closes with 31st March. It may happen that by that time the amount set apart by us initially under the head ' Land Acquisition ' would not have been fully spent. Therefore it would be quite incorrect to say that our maintenance and preparation of accounts is misconceived. The possibility of some excess amount over the prescribed one being spent over the head ' Land Acquisition ' cannot also altogether be precluded. Therefore I would request the hon. Member Sri Vavilala Gopalakrishnaiah to try to understand all these before beginning to offer criticisms.

" Let me now come to the State Trading Schemes. Of course it is true that there had been several defects in the maintenance of accounts in the various offices of the Civil Supplies Department.

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In the test audit of the accounts of certain select offices, it was revealed that the maintenance of accounts in those offices left considerable scope for improvement and that there were several defects in the maintenance of these accounts, e.g., reconciliation between the advice of movements of stores received from the supply officers and the quantities actually received was not effected by the Collectors of districts and the officers in charge of stores, and quota-holders had not maintained their accounts properly. Hon. Members should know that the Government was not sufficiently experienced in State Trading Schemes. At the beginning of the State Trading Schemes, it was but natural that the Government encountered some difficulties in the maintenance of accounts in the initial years. Hon. Members cannot blame me for the improper maintenance of accounts so far as these State Trading Schemes were concerned in respect of the years 1944–45, 1946–47, 1947–48 and 1948–49. I had recently discussion with the Accountant-General, Madras, and he has assured me that from the year 1952–53 the accounts were being maintained in a correct manner. So when the accounts of the succeeding years and this year come before the House, hon. Members may accuse me (if I happen to be here) for any defects in the accounts. I hold myself responsible for the same.

"Hon. Members should realize that we are dealing not with small quantities, but with 10,00,000 tons of rice. Naturally, we have to make some allowance for some quantity on account of decay in storage. Pilfering in transport cannot also be excluded. Our railways are not free from that evil. Hon. Members may know the same. Just now, I have received a telegram stating that about 200 tons of rice stored by some P.C.C. Society in Malabar have become rotten due to bad storage. We have the same difficulty in our own homes also where we deal with a few bags of rice, viz., 24 measures. Some portion becomes bad. That cannot be helped. Therefore if due to extraneous causes we incur some loss in transit we cannot be blamed for it. How are we to locate the persons responsible for our losses in the years 1944–45, 1945–46, 1946–47, 1947–48 and 1948–49? Five years have rolled by. How is it humanly possible for us *now* to find out the guilty persons at this distance of time. Therefore let not Sri Vavilala Gopalakrishnaiah unnecessarily blame me or the Government. Therefore, no useful purpose will be served by the appointment of a committee to go into the accounts of 1944–45 or 1948–49, at this distance of time and no evidence also will be available. As a matter of fact, if I thought it would serve any useful purpose, I would have been the first person to do this, as soon as I took charge of office; I would not have waited till the hon. Member Mr. Krishna Rao made the suggestion; if I was certain that it would be possible to fix the responsibility on any of the officers, I would have taken action myself. Unfortunately, as I said, it is not possible to fix the responsibility, and the mere appointment of a committee would mean further expenditure —because they will have to go about from place to place and to the places where all these things were happening—and it will not

6-10 p.m.

serve any really useful purpose. I agree with Mr. Krishna Rao that we are dealing with public money, money belonging to others; and where expenditure of other people's money is involved, we should be very very careful, as careful as possible under the circumstances. I agree that if anything wrong has been done, we cannot neglect it, and if possible, action should be taken. But unfortunately, due to the lapse of time, no evidence is available now and we are unable to locate the officers who were responsible for this; if that is possible, the loss may be recovered from them or proper action may be taken against them. That is why it is stated here that these losses have to be borne by the Government. I do not under these circumstances see, Sir, why Mr. Krishna Rao should press for the appointment of a committee to go into all these things.

" Then, with reference to the audit, the Examiner of Local Fund Accounts examine the accounts. The Accountant-General is responsible to the Government of India. It is not possible for the Accountant-General to do the entire audit. It is generally the Examiner of Local Fund Accounts who does the auditing, and then there are test audits conducted by the Accountant-General after the audit by the local fund auditors is over. So it is not left completely to the discretion of the local fund auditor to say whether the accounts are correct or not. As I said, the accounts are test-examined by the Accountant-General also. Taking all these things into consideration and also taking into consideration the improvements we have made in maintaining the accounts in recent years, I would request Mr. Krishna Rao not to press his amendment for the appointment of a committee which would really serve no useful purpose. That is all, Sir, on that particular matter.

" Then Mr. Muthiah Chettiyar asked me when the subsequent year's accounts are going to come up for discussion. Unfortunately, it is only just now that the Public Accounts Committee finished its deliberations regarding the scrutiny of the subsequent year's audited report. That was mainly due to the fact that all of a sudden, the person who was the Chairman of the Public Accounts Committee ceased to be a Member of this House; we were left in the lunch, and we had to elect another person as Chairman, and then only we could continue our deliberations. As I said, we have just finished the scrutiny and I am sure the Public Accounts Committee report will be made available to the House very soon. As soon as it becomes available, we will make it possible for the House to discuss that; or if that is not possible, the two Legislatures of the two new States may discuss the report. Anyway, it is not possible to say just now whether this House will be in a mood to discuss the Public Accounts Committee report when we assemble here next to discuss the question of the Andhra State partition. If that is possible, I shall only be too glad to have the matter discussed by this House at the next meeting."

SRI K. KRISHNA RAO :—" My object in bringing forward the amendment is to bring to the notice of the House the serious

irregularities committed and in view of the fact that Mr. Subramaniam, as he says, is taking steps to ensure correct accounting in the future, I have no objection to withdraw my amendment."

The amendment was, by leave of the House, withdrawn.

SRI C. V. K. RAO :—" Sir, I am not prepared to withdraw my amendment. I think the Finance Minister can as well accept it. It is not his Government's accounts on which a report has been prepared by the Public Accounts Committee; it relates to the accounts of some other Government. Therefore, he can as well accept my amendment.

" As far as the remarks of the Committee regarding the presentation of excess demands to the House are concerned, I think the Committee has not collected the materials correctly. Under Rule 132 of the Madras Legislative Assembly Rules issued under the Government of India Act of 1935, it is a long-established convention that such excesses should be presented to the House. And what is more, under rule 135 of the Rules of Procedure of the Madras Legislative Assembly, it is clearly stated—and the Chair must implement these rules—that—

'If any money has been spent on any service during a financial year in excess of the amount granted for that service and for that year, the Governor shall cause to be presented to the Assembly a demand for such excess. Such demands for excess grants shall be dealt with by the Assembly, as if they were demands for grants : '

Mr. Subramaniam has accepted that there is a provision under Article 205 of the Constitution that such excess demands should be presented before this House. Taking all these things together, I am sure he will consider that the way in which the Committee has written its recommendation is not correct, and therefore I suggest it should be rejected and the matter should be discussed, considered and decided upon. I submit, Sir, that my amendment is not in any way a censure on the Government."

* THE HON. SRI C. SUBRAMANIAM :—" It is not a censure, I know; but it is only the procedure I am referring to. Unfortunately, by accepting the amendment, we won't be closing the discussion of the 1948-49 accounts even to-day because I will have to bring forward Motions in the form of demands in respect of all these items. Let the hon. Member please take it from me that that is the effect of my accepting his amendment. If I have to present a demand, naturally it means that we must have another discussion on the demand, which I present, and the discussion of the 1948-49 accounts will not be over to-day. That is why, considering the fact that these accounts relate to the year 1948-49, I request Mr. C. V. K. Rao not to press his amendment. With regard to the future, we will certainly see that the proper procedure is followed."

[8th April 1953

Sri C. V. K. RAO :—" No, Sir, I am pressing the amendment."

Mr. SPEAKER :—" I will put Sri C. V. K. Rao's amendment to the vote of the House. The question is—

' *Add* at the end the following :—

" and that the recommendation of the Committee (page 45) that there is no need to present demands to the Legislative Assembly to cover the excess over the voted grants during 1948–49 be rejected." ' "

The amendment was put and lost.

Mr. SPEAKER :—" I will now put the main motion to the vote of the House."

* Sri VAVILALA GOPALAKRISHNAIAH :—" On a matter of personal explanation, Sir, the Hon. Minister said I was speaking half-digested thoughts. The fact is, they are not half-digested to me, but the Hon. Minister for Finance was not able to swallow the facts I mentioned."

Mr. SPEAKER :—" The question is—

' That the Report of the Public Accounts Committee on the Accounts of the State of Madras for the year 1948–49 be taken into consideration.' "

The motion was put and carried.

Mr. SPEAKER :—" The House will now adjourn *sine die*."

The House then adjourned *sine die*.

VI.—PAPER LAID ON THE TABLE OF THE HOUSE.

Notification issued with G.O. No. 506, L.A., dated 9th March 1953, *regarding exclusion of certain villages from the jurisdiction of the Tirunelveli District Board.* [*Laid on the table under sub-section* (5) *of section* 3-*A of the Madras Local Boards Act*, 1920.]

APPENDIX.

[Vide answer to starred question No. 395 asked by Sri K. Krishna Rao at the meeting of the Legislative Assembly held on 8th April 1953, page 1103 supra.]

RULES RELATING TO QUALIFICATIONS FOR OFFICERS AND SERVANTS OF PANCHAYATS.

I. *Ministerial posts, attenders and bill-collectors.*—No person shall be appointed to any of the posts under a panchayat specified in column (1) of the sub-joined table unless he possesses the qualifications laid down in the corresponding entry in column (2) thereof—

TABLE.

Description. (1)	*Qualifications.* (2)
Ministerial posts	Matriculation Examination of the University of Madras or a completed Secondary School-Leaving Certificate issued under the authority of the Government or any equivalent examination held by any of the other Universities in India mentioned in the Annexure, or the Indian Army Special Certificate of Education.

ANNEXURE.

Indian Universities.

The Universities of Allahabad, Bombay, Calcutta, Delhi, Lucknow, Nagpur and Patna.
The Aligarh Muslim University.
The Annamalai University.
The Mysore University.
The Andhra University.
The Benares Hindu University.
The Osmania University.
The Utkal University.

தமிழ்நாடு சட்டமன்றப் பேரவை
TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

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